SECURITY COUNCIL

OFFICIAL RECORDS

FIFTY-FIRST YEAR

SUPPLEMENT FOR OCTOBER, NOVEMBER AND DECEMBER 1996

UNITED NATIONS

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NOTE

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements of the Official Records of the Security Council.* The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council.* The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

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CHECKLIST OF SECURITY COUNCIL DOCUMENTS ISSUED DURING THE PERIOD 1 OCTOBER – 31 DECEMBER 1996

NOTE. — The documents listed in bold type are printed in the present supplement. The other documents may be consulted in the Dag Hammarskjöld Library, other United Nations depository libraries or through the Optical Disk System. The letters in the subject index column correspond to those in the index on the page following the list and indicate the subject–matter of the documents to which they refer.

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S/1996/830	7 October 1996	b, c, k	Letter dated 7 October 1996 from the representative of Yugoslavia to the Secretary-General	Circulated under the double symbol A/51/461–S/1996/830	
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Report of the Secretary-General on the United Nations Support Mission in Haiti

DOCUMENT S/1996/813

[*Original: English*]
[*1 October 1996*]

I. Introduction

1. By its resolution 1063 (1996) of 28 June 1996, the Security Council decided to establish a United Nations Support Mission in Haiti (UNSMIH) until 30 November 1996 to assist the Government of Haiti in the professionalization of the police and in the maintenance of a stable environment conducive to the success of the current efforts to establish and train an effective national police force, and expressed its support for the role of my Special Representative in the coordination of activities by the United Nations system to promote institution-building, national reconciliation and economic rehabilitation in the country. The present report is submitted in compliance with paragraph 8 of that resolution, in which the Security Council requested me to submit a report on the implementation of the resolution by 30 September 1996.

2. The report also contains my recommendations on the operations and strength of the United Nations Mission in Haiti. These recommendations take into account the fact that recent developments have resulted in a serious deterioration of the security situation in the country and reflect the assessments made by the military and civilian police members of UNSMIH. They are also based on the ongoing consultations of my Special Representative, Enrique ter Horst, with the Government of President René Préval. Finally, they take into account the views of the group of "Friends of the Secretary-General for Haiti", namely, Argentina, Canada, Chile, France, the United States of America and Venezuela, whose support remains invaluable.

II. Political and security situation

3. The Government of President René Préval and Prime Minister Rosny Smarth has taken steps to correct some of the pressing economic and social problems that confront Haiti. Progress has been visible in the increased state revenues and road repair. The Government has reached agreement with the multilateral lending institutions and presented an economic reform package to the Parliament. The absence of consensus within the Parliament on this issue and the difficult conditions under which the parliamentarians have had to work led to a considerable delay in finalizing this legislation. Without the international aid that was conditioned on the economic reforms, the Government has remained solvent through severe economies and fiscal conservatism. As a result, some public sector employees, including members of the Haitian National Police (HNP), have not been paid regularly. This has contributed to absenteeism and low morale among police officers.

4. While the commitment of the Government to make the changes necessary to improve the lives of all citizens is clear, there are indications that progress has been inadequate in several areas. Many ministries suffer from a lack of qualified staff and institutional memory, meagre resources and inadequate premises. Consequently, Haiti is not in a position to make full use of the significant international assistance offered. This is particularly unfortunate given the fact that the popular demand for social services and improved infrastructure continues to grow. These unmet aspirations are the cause of frustration that is frequently expressed in demonstrations and roadblocks.

5. Over the last year, common crime has become an increasing concern. It has included some forms of criminality rarely seen in Haiti, such as kidnapping for profit and the greater use of firearms. There are also indications that trafficking in drugs and contraband is on the increase. Given the weaknesses of HNP and the poor performance of the justice sector, Haitians have continued to take matters into their own hands by committing acts of "vigilante justice" . Lawlessness has also given rise to abuse of authority and human rights violations by HNP, which is struggling to meet the ever-greater demands and expectations placed on it while confronting an ever-more sophisticated challenge from criminal elements.

6. The Armed Forces of Haiti (FAd'H) were disbanded by presidential decree in January 1995, pending the adoption by the Parliament of an amendment to the Constitution. While some of the 7,000 former soldiers were incorporated into the new civilian police force, the majority were demobilized and offered a six-month vocational training programme administered by the International Organization for Migration (IOM) and funded by the United States Agency for International Development (USAID). Some 5,000 of these men have acquired marketable skills while earning a monthly stipend, yet under 20 per cent have been able to secure positions in Haiti's sluggish economy. Additionally, not all their weapons were secured.

7. It will be recalled that in my report of 24 July 1995 [*S/1995/614, para. 62*], I noted that efforts to reintegrate former soldiers into the civil society were essential for peace-building. I have also appealed to Member States for additional funding for this vital undertaking.

8. Some groups of demobilized soldiers have called on the Government to provide compensation, including pensions and reimbursement of savings deposits. They have held demonstrations over the last year and, not having received any official response, have grown increasingly militant. Some ultimately threatened violence. While ex-FAd'H were long suspected to be behind some crimes, the first violent act definitively attributed to them was an attack on the police station at Vialet on 21 June. The station at Thomassiques was also attacked on 12 July. In both cases former soldiers were arrested and arms and ammunition seized. On 19 July, André Armand, the leader of a group of soldiers known as the Rassemblement des Militaires Révoqués Sans Motifs (RAMIRESM), was shot to death and another former soldier has been detained in connection with his murder. Armand had recently said publicly that some former FAd'H members were plotting to destabilize the Government. On 17 August, 19 persons, including 15 former soldiers, were arrested on suspicion of plotting against the Government, among them a colonel who had played a prominent role during the period of the de facto Government. Except for the former colonel, those detained were meeting in the offices of the Mobilization for National Development (MDN), two of whose members were also held.

9. Two days after the arrests, a group of 30 men attacked the Port-au-Prince police station where the detainees were held. Several other incidents occurred in the metropolitan area that night, including shots fired at the Parliament and near the home of former President Jean-Bertrand Aristide. In the afternoon of 20 August, two MDN members were murdered on a crowded city street. Since then, minor acts of violence have continued: grenades were found at gas stations on 19 and 25 August; the headquarters of the national television station was attacked on 22 August; and two homes of members of the civilian police (CIVPOL) were fired on in Petit Goâve on the night of 25 August. Notes left by the attackers suggested that former soldiers were challenging the United Nations and the United States forces and that more violence would follow. In late August, the so-called Comité revendicatif des militaires démobilisés threatened action if the soldiers' financial demands were not met and their jailed colleagues released within seven days. They subsequently sought a dialogue with the Government, which had just announced that steps were being taken to address their financial concerns.

10. On 13 September, following the suspension of the Chief of the Presidential Security Unit (PSU) and his deputy, in connection with ongoing investigations, some 40 security agents were sent by the United States to Haiti bilaterally to assist the Government in professionalizing PSU on a temporary basis. UNSMIH increased its own presence at the National Palace and coordinated its activities with the United States security personnel.

11. While incidents of violence have been numerous and are seemingly on the rise, they appear to be the work of several relatively small, but well-armed, groups, which do not coordinate their activities and have no popular support. Although these groups lack the capacity to pose a serious threat to the Government, the pattern of incidents has caused disquiet among Haitians and dealt another blow to the morale of HNP.

12. Preoccupied with this security threat, the Government has been distracted from focusing on solving pressing social and economic concerns and promoting the reconciliation of Haitian society, both of which will condition future stability. However, in a public statement on 2 September, Prime Minister Smarth called on the former soldiers not to allow themselves to be manipulated into becoming involved in the cycle of violence and on all Haitians to support the rule of law and safeguard their country's democracy. He also reported that the Government was working with the international community to respond to the soldiers' situation, that HNP's logistical capacity would be increased and that the justice system had been instructed to speed up investigation of recent crimes. This statement was well received and some non-governmental organizations and political parties publicly supported the Prime Minister's message.

III. DEPLOYMENT AND OPERATIONS OF UNSMIH

13. As members will recall, the Security Council, in its resolution 1063 (1996), decided to limit to 600 and 300 respectively the troop and civilian police strength of UNSMIH and, bearing in mind the assurance given in my previous report [*see S/1996/416, para. 36*] that, the situation permitting, I would be alert to further opportunities to reduce the strength of the Mission, requested me to report to it on the prospects for such further reductions. In paragraph 6 of the same resolution, the Security Council requested all States to provide appropriate support for the actions undertaken by the United Nations and by Member States in pursuance of its relevant resolutions in order to carry out the provisions of the UNSMIH mandate. Responding to the Council's request, the Governments of Canada and the United States of America have provided, at their own expense, the resources required to fund an additional 700 military personnel to assist the Government of Haiti.

14. The restructuring of the force after the expiration of the mandate of UNMIH and the redeployment necessitated by the reduction of the previous United Nations-financed military component were carried out during the month of July 1996. Two military camps, at Cap-Haïtien and Port-au-Prince, were closed and another was reorganized to accommodate the contingent from Pakistan, which was redeployed to the capital. The contingent from Bangladesh was repatriated on 16 July. Likewise, the force headquarters staff was reduced and restructured. As a result, UNSMIH's military element is now deployed only in Port-au-Prince. At 15 September, its strength stood at 600. In addition, some 672 personnel funded on a voluntary basis (*see annex*) are in the mission area. The military element is under the command of Brigadier-General J. R. P. Daigle (Canada).

15. In compliance with the usual practice, negotiations were held with the Government of Haiti to ensure that UNSMIH would enjoy full freedom of movement and communication, and other rights necessary for the performance

of its tasks. These negotiations concluded successfully and, on 4 July, the Prime Minister informed the United Nations that the status-of-forces agreement concluded for UNMIH on 15 March 1995 would apply *mutatis mutandis* to UNSMIH and its personnel.

16. As already noted, the reduction of UNMIH's military element necessitated a concentration of the remaining forces in Port-au-Prince (*see map at the end of the present volume*), which, as the centre of economic, political and social activity in Haiti, is critical to the maintenance of a secure and stable environment. A strong military presence there is therefore essential to provide a credible deterrence against those who might seek to destabilize the situation. With this in mind, and in view of recent developments, UNSMIH has greatly increased the number of its patrols to manifest its presence, thus considerably reducing the reaction time required to respond to critical situations in the metropolitan area. UNSMIH helicopters equipped with radar and search lights are flown in coordination with ground patrols in order to increase effectiveness, particularly at night.

17. UNSMIH regularly provides support and back-up to HNP as it confronts various security challenges. UNSMIH has also continued to ensure security at the National Palace, for the President's motorcade and at the residence of the former President. In an effort to assign the highest possible number of troops to ground patrols, the number of key installations to be protected has been reduced to the absolute minimum. As a result, United Nations military personnel are no longer deployed at the seaport or the airport, which are now protected by the HNP. However, UNSMIH will continue to be deployed at the same level both at headquarters and at the two military camps in the capital to ensure their protection.

18. UNSMIH's military element also assists in the professionalization of HNP by conducting joint civilian police/HNP/military patrols in the more difficult areas of the capital. In addition, it has assisted in the training of an HNP quick-reaction tactical response team for the search and seizure of weapons. The military element further supports HNP in the areas of information-gathering, organization and planning. In recent weeks, it has provided increased back-up to HNP and CIVPOL. For example, UNSMIH military units were posted at the Parliament in the aftermath of the shooting attack on the building (*see para. 9 above*).

19. HNP's capacity to respond appropriately outside the Port-au-Prince area is limited by a general lack of equipment, training and organization. It is important, therefore, that UNSMIH be able to respond quickly throughout the country when HNP and CIVPOL units in the more remote areas require assistance. To simplify the assignment of responsibility, the country's nine departments have been divided into two areas—Response Zones North and South. In this context, it is important that the Mission be assigned two medium-lift helicopters.

20. Under the command of Colonel Robert Pigeyre (France), the civilian police element of UNSMIH (CIVPOL), whose strength at 15 September stood at 271, continues to be deployed at 19 locations throughout Haiti from where it seeks to professionalize the HNP through on-the-job training and by reinforcing its command and management structures. CIVPOL personnel accompany HNP officers in their daily policing activities and also provide more formal training at each police station. Of the 271 CIVPOL members, 223 are assigned to individual *commissariats* and 40 serve as technical consultants, instructors and advisers to specialized units such as the Special Investigative Unit (*brigade criminelle*), the Inspector-General's Office and the proposed HNP Operations Centre. The eight remaining CIVPOL members comprise the senior police command at UNSMIH headquarters.

21. The 223 CIVPOL officers at the commissariat level are primarily involved in the field training of HNP personnel. They accompany HNP officers on routine patrols, monitor their behaviour and procedures during criminal investigations, arrests, the questioning of suspects and the handling of prisoners. They also participate in the evaluation of the performance of HNP officers and provide continuous instruction at the detachment level under the monitoring of the Training Section at UNSMIH headquarters. This recently developed approach ensures that training is consistent across the country. Twenty subjects have already been identified for the training and some courses will be completed by the end of November 1996. Additional subjects will be taught at future courses.

22. CIVPOL officers also serve as instructors at the Police Academy. They have assumed responsibility in particular for imparting skills that were urgently needed, such as professional intervention techniques (*gestes techniques professionels d'intervention*) which are being taught to 47 HNP officers. The last group of 15 HNP officers was scheduled to commence this course on 16 September. VIP security (*sécurité rapprochée*) is provided by 100 HNP officers trained by CIVPOL and an additional 25 officers are currently in training.

23. In order to fill the gaps in the HNP command structure as quickly as possible, CIVPOL has trained 43 *commissaires* and two additional training sessions are scheduled in September (for 23 officers) and in October (for an additional 30). Another gap in the command structure is at the intermediate *inspecteur* level. To fill this gap, CIVPOL has conducted training sessions for the most senior of the rank-and-file officers, known as agents "3" and "4". Studying in groups of 30, some 170 of the former will receive officer training and a 15-day course qualifying candidates for *commissaires* will be held for 141 agents "4", who will be grouped into classes of 50.

24. One hundred and twenty officers have been trained for the crowd-control units (*compagnies de maintien de l'ordre*) and three additional four-week courses for groups of 40 officers are planned for the north, east and central regions. CIVPOL has provided on-the-job training to 33 detectives assigned to the *brigade criminelle*. Twenty-one of these will be assigned to local detachments around the country and their replacements in the capital will also be trained by CIVPOL. The feasibility of establishing training centers at the departmental level is currently under study.

IV. Haitian National Police

25. The 6,000-member Haitian National Police was fully deployed in 174 locations by the end of February 1996. This young force, which is in a difficult and critical phase, has three fundamental shortcomings: inexperience, inadequate equipment and insufficient leadership. Created from virtually nothing and not yet two years old, it is facing a formidable challenge from well-armed criminals, some of whom are politically motivated. It remains grossly underequipped. Many police stations lack even such basics as electricity, plumbing and water, and some of them attempt to serve their communities without telephone, radio or vehicles. Many mid-level officer posts remain unfilled and those officers who are deployed—with only a few weeks' training—lack leadership experience. Taken together, these problems seriously tax the capacity of the young officers to carry out their duties and adversely affect their morale. UNSMIH's CIVPOL members, who regularly monitor HNP posts throughout the country, report that officers exhibit a lack of motivation that is expressed in chronic absenteeism and even desertion. This problem is so commonplace that some subcommissariats are non-functional. Indeed, it is CIVPOL's presence that makes it possible for some stations to function at all, mitigating the lack of resources by sharing its vehicles and means of communication with HNP.

26. The office of the HNP Director-General has drafted a plan for the institutional development of the police that incorporates in large measure the work and recommendations of the working groups that functioned during the mandate of UNMIH. Working together, HNP and UNSMIH leadership have translated this plan into concrete objectives, named individuals responsible for their achievement and set deadlines. Progress in this work is tracked by President Préval at regular gatherings of key HNP officials, UNSMIH, the International Civilian Mission in Haiti (MICIVIH) and bilateral donors. To ensure that his plan will be implemented efficiently, HNP Director-General Pierre Denizé has created a "support and follow-up group", which includes all those involved in the training, professionalization and management of HNP—namely, representatives of Canada, France, the United States of America and CIVPOL. Although progress in this forum remains limited, advances have been noted in several areas, such as the establishment of a computerized payroll system. A new coast guard and fire brigade are now operational. Some local HNP detachments have established constructive relations with local residents. In Cap-Haïtien, for example, a community relations unit has been established and HNP officers have made presentations in schools on the role of police in society. Last spring, the new HNP disciplinary code was widely distributed. In this and other ways, HNP leadership has made clear its commitment to enforcing human rights and ethical standards within the police. This commitment is also reinforced by MICIVIH's human rights training for the police.

27. Despite some progress and the establishment of mechanisms that should help consolidate HNP, much remains to be implemented. Essential decisions, such as the appointment of mid-level and senior officers, have been delayed, which has caused, at times, a leadership vacuum in the country. Many rank-and-file officers function without adequate direction—a situation that, predictably, has given rise to indiscipline and excesses. Most of the 43 officers trained to serve as *commissaires* were not deployed on graduation when it was discovered that a majority of them were former FAd'H members who had scored well on the qualifying examination. Fearing popular rejection, HNP leadership decided to wait until more *commissaires* with a civilian background completed their training, thereby improving the military/civilian ratio. Some three months later, these critical appointments still have to be made and some 70 posts remain empty. In many locations, CIVPOL has had to fill the managerial void.

28. Another critical step that has yet to be taken is the establishment of a command centre at headquarters in Port-au-Prince and of similar centres at each of the nine departmental headquarters. While the decision to establish departmental *centres de renseignements et d'opérations* was taken last February, the personnel required has yet to be appointed and the sites to be chosen. One of the causes for the delay is that the national telephone authority has failed to install the necessary telephone lines at HNP headquarters. In the meantime, CIVPOL has offered its own operations centre as a base to train the personnel for HNP operations centres around the country.

29. In general, the institutional development of HNP has been seriously delayed. Financially, HNP has not been spared from the budgetary constraints affecting the whole public sector. Because the Government remains short of cash until the economic package is approved by the Parliament, the Ministry of Finance has not disbursed adequate funds to the Ministry of Justice. As a result, police officers are paid one or two months late. In general, record-keeping is insufficient and basic information about the institution is not centralized or systematized. Particularly problematic in a country with increasing criminality—some of it new and sophisticated—is HNP's lack of a criminal investigative capacity. Much of the country remains without any detectives at all. The one unit specialized in criminal investigation—the *brigade criminelle*—is small and devoted to investigating a limited number of killings that appear to be politically motivated.

30. Although it has received large amounts of equipment donated by UNSMIH and bilateral donors, the force remains manifestly underequipped. Many officers have only one uniform, which may be one of the reasons why they sometimes report for work in civilian clothing. The participation of armed men in street clothes in policing functions has caused confusion and fear among the population and could give rise to abuse.

31. UNSMIH continues to play a leading role in the logistics area and it has drawn up a list of existing resources and needs. Regularly updated, the list reveals glaring deficiencies in all areas: transportation, infrastructure and communications.

32. Much of the equipment donated to HNP is currently non-functional because it has been misused or fallen into disrepair. Systems to ensure accountability and maintenance remain inadequate. UNSMIH has begun repairing HNP

vehicles at its workshops in Cap-Haïtien, Hinche and Les Cayes and will eventually transfer these resources to HNP. Systems to ensure the proper maintenance of telecommunications equipment are also lacking and donated equipment is now in need of overhaul.

33. It will be recalled that in response to Security Council resolution 975 (1995), I set up a voluntary fund to assist with the creation of an adequate police force in Haiti. Since that time, in all my reports on Haiti, I have appealed to Member States to give immediate and serious consideration to contributing to the Fund. To date, the Fund has received a total of US$ 3,250,000 from Japan, the Republic of Korea and Luxembourg. These resources have been used to provide vehicles, communications and other equipment and to renovate over 25 police stations throughout Haiti. Many more of the country's 174 police stations are in dire need of repair. I wish to thank those Governments which have generously contributed to the Trust Fund. However, its resources will soon be exhausted. In this context, it should be noted that the Director-General of HNP has made a request, endorsed by President Préval, for assistance by the international community to hire 40 police consultants to provide technical advice and expertise to HNP officials for an 18-month period.

34. Charged with ensuring compliance with fundamental ethical, professional and human rights standards, Inspector-General Eucher Luc Joseph and his 23 staff are struggling to investigate a growing number of cases. Working in extremely difficult conditions, they have completed the investigation of 35 cases, out of a total of more than 200. This office performs a critical function within HNP and is a key guarantor to ensuring a society based on the rule of law. It bears mentioning that timely and thorough investigations of accusations of wrongdoing on the part of HNP will contribute significantly to the public's confidence in the institution. Likewise, cases in which a crime has been committed should be passed as a matter of course to the competent judge. In that context, the Inspector-General is conducting a corps-wide performance survey (to be completed on 15 October) with the intention of dismissing those officers deemed unfit. Six CIVPOL members continue to be assigned to the Inspector-General's office.

V. JUDICIARY AND PRISON SYSTEMS

35. HNP's partner in the administration of justice is the court system, which in most of the country remains dysfunctional. Under Haiti's civil law system, an investigating judge has, in partnership with the public prosecutor (*commissaire du gouvernement*), a significant role in criminal investigation. Nearly 80 per cent of those detained in prison are awaiting trial. Consequently, prisons are seriously overcrowded. Together with USAID and the United Nations Development Programme (UNDP), MICIVIH continues to work in order to improve conditions of detention. Jury trials have not been held regularly in many jurisdictions for years, though there was some improvement in July and August. The July acquittal of two men accused of murdering former Justice Minister Guy Malary in October 1993 served to focus public attention on the sector's need for a fundamental overhaul.

36. Recognizing the importance of judicial reform, the Prime Minister is convening monthly coordination meetings among Ministry of Justice officials, UNDP, MICIVIH, UNSMIH and donors. Implementation of a 32-point plan of action is reviewed and adjustments made as required. So far, progress has been slow, lagging behind developments in the public security sector. At the end of August, the Ministry of Justice introduced in the Parliament a bill on judicial reform that provides, *inter alia*, for the creation of a committee of experts to help the understaffed Ministry of Justice and that of a committee of evaluation, jointly designated by the Parliament and the Executive Branch, to deal with the status, training and replacement of judicial personnel. While consideration of this bill may help develop a consensus on the sensitive issue of the restructuring of the judiciary, it may result in further delays in the decisions required to establish confidence in the court system and meet the growing demand for justice.

37. The appointment of Louis Roy as Human Rights Ombudsman was a positive development. Once operational, this office should serve an important monitoring function in ensuring that those entrusted with the protection of the rights of Haitians live up to that responsibility.

38. Considerable resources have been offered by the international community for judicial reform. Courthouses are being renovated with the assistance of Canada; USAID and MICIVIH, together with Canadian specialists, are working jointly on improving administrative procedures in the offices of the public prosecutors; France has provided several experts to the Ministry of Justice; USAID stands ready to fund training and other activities. These resources represent an important opportunity for Haitian officials overseeing judicial reform efforts.

VI. DEVELOPMENT ACTIVITIES

39. By its resolution 1063 (1996), the Security Council supported the role of my Special Representative in the coordination of activities by the United Nations system to promote institution-building, national reconciliation and economic rehabilitation in Haiti. The Council also stressed the importance of an early agreement between the Government of Haiti and the international financial institutions on the steps necessary to make possible the provision of additional financial support.

40. The Government's development efforts in the last three months have centred on encouraging passage by Parliament of two key laws related to the structural adjustment programme—civil service reform and modernization of public enterprises, maintaining the macroeconomic balance necessary to attract private investment and reactivating externally financed public investment to improve the country's infrastructure and provide a much-needed stimulus to domestic demand.

41. Efforts on the fiscal front have achieved some positive results. Tax revenues have continued to increase as collection improves and tax evasion diminishes. Current fiscal expenditures are running below budgeted appropriations as external financing has not been disbursed pending the adoption of the structural adjustment programme. Higher revenues and fiscal expenditures below those planned have

resulted in a gradual narrowing of the fiscal imbalance in the third quarter. This trend, combined with several other factors, has led to a slight appreciation of the *gourde*. Contributing to this improvement were the slight deceleration of inflation (as of July 1996, 17.6 per cent on an annual basis); increase in available foreign exchange owing to a growing number of visitors, both Haitians living abroad and foreigners; and strengthening of the *gourde* resulting from the inflow of foreign currency by bilateral or multilateral donors to finance public investments.

42. Economic growth is still modest. Increased public investment—more than 90 per cent of which is externally financed—and renewed private construction have stimulated demand. Yet this increase in demand is nearly offset by the decrease stemming from the narrowing fiscal deficit and other factors. The recent violence, while not affecting public investment programmes, might scare off private investors.

43. Since my last report, there has been little change in the priorities, approach and commitments of multilateral and bilateral agencies and donors. The supply of soft credits and grants—mostly for technical assistance—remains substantial for the coming years. Yet, absorption capacity is still a problem. To tackle this obstacle, on 3 June, the Prime Minister convened the Ministers whose programmes are externally financed, as well as key multilateral and bilateral actors, including the UNDP Resident Representative. Three main problems were identified: virtually all ministries lack qualified personnel at appropriate levels to expedite externally assisted projects; bureaucratic obstacles on the part of the Government—but also on the part of the donors—retard and even impede project implementation; lack of coordination among donors in some sectors leads to excessive demands on the time of the Minister concerned and already overworked ministerial staff who are at times obliged to analyse and choose among similar projects presented by different donors.

44. A proposal to deal with these last two issues was submitted to the Prime Minister by the UNDP Resident Representative in a letter dated 16 July 1996. It will be recalled that, in 1995, I appointed the UNDP Resident Representative to the post of Deputy Special Representative, thus linking a peacekeeping mission to development activities for the first time. This arrangement is working well in that it has created an organic link between the Mission and various agencies and programmes represented in Haiti. The President of the Security Council welcomed my decision to coordinate the peacekeeping mission with development activities and expressed the hope that this coordination would promote closer cooperation of all concerned in Haiti, as well as improve effectiveness of international support for rebuilding Haiti's economy [*see S/PRST/1995/20 of 24 April 1995*].

45. On 29 July, my Special Representative invited the Prime Minister, the Minister of Planning and External Cooperation, the Minister of the Economy and Finance, the multilateral financial agencies, key bilateral donors and agencies of the United Nations system working in Haiti to a meeting whose purpose was to explain the Mission's wide mandate and to promote discussion on how to implement its new aspects to follow up on proposals made in the above-mentioned letter.

46. There emerged from this gathering a mechanism by which each Minister would invite the main donors in his sector to analyse jointly the status of projects and identify measures to advance their implementation. These periodic meetings will also allow the Minister to brief the donors on the Government's main policy directions for the sector and to explain new initiatives. Moreover, donors will be able to use the opportunity to present new project ideas, thus reducing the possibility of duplication and demands on the Minister's time. The first sectoral meeting using this modality was hosted by the Ministry of Social Affairs on 22 August and a calendar of meetings has been set for the ministries with oversight in health, public works, transportation and communication, agriculture and the environment.

47. South-South cooperation is gathering momentum. Technical assistance and training missions from Bolivia, Chile, Cuba and Mexico have come to Haiti in the last three months. Many other Latin American and Caribbean countries have planned missions of a similar nature in coming months. Also, an increasing number of trade missions (among them, Venezuela and the Caribbean Tourism Organization) have visited the country recently and reached agreements to enhance commercial relations. It is to be hoped that Haiti is gradually becoming attractive for traders and potential investors in the Caribbean and Latin America.

48. In my previous report, I had encouraged the formulation of a shared vision among Haitians of their country's future. The purpose, *inter alia*, was to improve the framework for international support. At the initiative of my Special Representative, a group of 29 Haitian leaders and experts from different sectors (business, church, community organizations, government, non-profit organizations, university); disciplines (economists, jurists, social and political scientists, historians, architects, medical doctors, engineers); and political persuasions met to map out key long-term objectives and policies for their country. This seminar was held under the auspices of UNDP and two local non-governmental organizations. A synthesis of these discussions will be published shortly. This workshop constitutes the first step in a process that aims to facilitate a national dialogue and formulation of a domestic agenda based on a large degree of consensus, which is essential for the formulation of a framework for international support in coming years. Under the overall coordination of the Special Representative, the agencies of the United Nations system will continue to contribute to the formulation of this shared vision and to be involved in the new sectoral working groups in the socio-economic sphere. In this fashion, the United Nations will be able to remain engaged in promoting the development of Haiti over the long term, in continuation of its commitment during the current period of transition.

VII. Observations and recommendations

49. It is clear, from all indications, that the security situation in Haiti has deteriorated in recent weeks. The attacks and shooting incidents that have occurred in Port-au-Prince

reflect an increase in subversive activities in which some ex-FAd'H personnel and members of extreme rightist organizations seem to be involved. A number of popular demonstrations have also been held throughout the country and it cannot be excluded that locally based vigilante brigades might step up their activities, thus further threatening public security and eroding the country's stability.

50. So far, HNP has not reached the level of experience and confidence required to control and defeat threats posed by subversive groups. It is clear, therefore, that UNSMIH's military element, which is still the largest and best equipped security force in Haiti, is a key factor in the ability of the Haitian authorities to contain the danger of destabilization by forces threatening democracy.

51. The Government of Haiti has repeatedly demonstrated its commitment to build a human rights-respecting, civilian police force as a strong institutional guarantor of the rule of law. The HNP leadership, as well as many of its officers, are working diligently under very difficult circumstances and under the pressure of both increasing expectations and a renewed security threat. Nine officers have been killed during 1996, shaking the confidence of police and citizens alike.

52. It is likely that the recent spate of violence is intended to test the resolve of HNP, the Government and the international community. Efforts must be redoubled and key decisions must be promptly made and implemented if HNP is to achieve the necessary professionalization and efficiency. Authority and decision-making need to be decentralized. In this context, I would like to reiterate my call to the Governments of Member States to contribute generously to the Trust Fund for the Haitian National Police, which, in the coming months, will be needed to respond to the request of the Government of Haiti for a technical advisers programme.

53. Recent events serve as a reminder of the importance of further steps to prevent the dangers to a secure and stable environment posed by further polarization and to ensure the reconciliation of Haitian society. I note with satisfaction that a joint working group of IOM, USAID and UNSMIH has crafted a scheme to satisfy a number of legitimate demands by the demobilized soldiers. Once implemented, this scheme should help promote the reintegration of this section of the Haitian population into civil society. With the Government's economic policies almost in place, the stage is set for more growth and development. Coordinated by my Special Representative and his Deputy, a mechanism has been put in place to improve the implementation of projects in the socio-economic area. It is hoped that these steps will bolster investors' confidence.

54. As I have noted in the past, by endorsing my proposals in July 1994, the Security Council was by implication committing the international community to a long-term programme of support for Haiti. In my view, the presence and assistance of the international community will continue to be required beyond November 1996 to help the Government of Haiti set up a professional, well- managed and well-equipped civilian police and ensure that a stable environment will be consolidated, that democracy will take root and that economic and social development will translate into a visible improvement of the living conditions of the people.

55. As noted in paragraph 13 above, the Council had requested me to report to it on prospects for further reductions in the strength of the Mission. While I shall, of course, remain alert to opportunities to reduce the Mission's strength and costs, I must recommend that UNSMIH's current military and CIVPOL strength be maintained for the time being. The present troop level, supplemented by additional voluntarily funded personnel, constitutes in my view the minimum required for the implementation of the Mission's mandate, and I am convinced that, in the present circumstances, any further reduction would diminish UNSMIH's operational and training capability and place its mandate at risk.

56. In concluding the present report, I should like to commend my Special Representative, the commanders of the military and civilian police elements and the international and local civilian staff for their outstanding efforts in support of democracy in Haiti.

ANNEX

Composition and strength of UNSMIH military and civilian police elements as at 15 September 1996

	Military			
Nationality	*Operational*	*Headquarters*	*Voluntarily funded*	*Civilian police*
Algeria				12
Bangladesh		8		
Canada	515	38	172	98
Djibouti				19
France				91
Mali				39
Pakistan	25	13	500	
Russian Federation				5
Togo				7
Trinidad and Tobago		1		
Total	**540**	**60**	**672**	**271**
Grand Total	**600**		**672**	**271**

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I. INTRODUCTION

1. It will be recalled that, in compliance with paragraph 8 of resolution 1063 (1996) of 28 June 1996, on 1 October I submitted to the Security Council a comprehensive report on developments relating to the United Nations Support Mission in Haiti (UNSMIH) up to 30 September [*S/1996/813*]. The present addendum covers significant developments since that time. It also contains my recommendations on the role of the United Nations in Haiti after the expiration of the

Mission's current mandate on 30 November. These recommendations are based on the consultations that my Special Representative, Enrique ter Horst, has continued to hold with the Haitian authorities and on the views of the group of "Friends of the Secretary-General for Haiti".

II. POLITICAL AND SECURITY SITUATION

2. Since my report of 1 October 1996, there has been some improvement in the security situation in Haiti and in the capacity of the Haitian National Police (HNP) to confront existing challenges. The spate of violence which characterized the months of July, August and September has abated. That violence, some of which appeared to be politically motivated, had caused serious disquiet among the population and seemed to threaten Haiti's transition to democracy. There were indications that small groups of former members of the Armed Forces of Haiti, acting at times in concert with certain political figures associated with the previous, de facto regime, were behind some of the incidents. While inactive in recent weeks and apparently devoid of popular support, some of these groups continue to have access to funding and weapons. They are in a position to threaten and damage government installations and infrastructure, and they are believed to be planning future challenges to the Government of President Préval, seeking to undermine its efforts to ensure stability, increase democratic participation and promote economic development. Recent information suggests that a number of these groups may be using neighbouring countries as a base.

3. Sergeant Joseph Jean-Baptiste, the outspoken leader of a militant group of former soldiers known as Comité revendicatif des militaires, was detained on 28 September on charges of plotting against the Government, after having threatened attacks to disrupt the opening of the Haitian school year on 7 October. At the same time, HNP seized a variety of military weapons and ammunition, as well as plans for an attack on the residence of former President Aristide. On 5 November, HNP officers shot and killed five men in police uniforms, who were part of a group of some 10 persons who reportedly fired at them from their vehicle in Port-au-Prince. On this occasion, too, HNP seized a significant number of military weapons transported in the vehicle. In response to threats like these—real as well as perceived—grass-roots groups have been formed around the country. While an expression of the profound popular rejection of any return to the violence, arbitrariness and authoritarianism which, for long periods, characterized Haitian society in the past, some of these groups have caused additional apprehension by threatening to resort to violence themselves and by showing a propensity to take justice into their own hands. The existence of several armed security bodies—some of them attached to municipalities—outside the official structure of HNP and therefore outside its disciplinary codes and mechanisms, is also a cause of concern. Showing, as they frequently do, a marked tendency to degenerate into bands of armed thugs, these forces undermine the established order and represent a potential for human rights violations. The high level of criminality, which includes trafficking in drugs, arms and contraband, also poses a formidable challenge to HNP and to the maintenance of a secure and stable environment.

4. In earlier reports [*see in particular S/1995/614 and S/1996/813*], I have underlined the importance of encouraging the reintegration of former soldiers into society and the danger of not attending to this important aspect of peace-building. It is therefore with satisfaction that I note the proposals by a joint working group of the International Organization for Migration, the Agency for International Development (USAID), the Ministry of the Interior and UNSMIH for a comprehensive scheme regarding pensions and the reimbursement of savings deposits to which the demobilized soldiers are entitled. The Government's commitment to fulfilling its obligations to the former soldiers was reinforced by the statement on the issue made by Prime Minister Rosny Smarth on 23 September. A form of reparation for those Haitians victimized by the former de facto regime is also under consideration.

5. On 18 October, President Préval and Prime Minister Smarth dissolved the Provisional Electoral Council by decree and invited the Supreme Court (*Cour de Cassation*) and Parliament to nominate new members. The Council had reached an impasse internally and was unable to proceed with planning for elections to the local councils known as Territorial Assemblies and to the Senate, both of which are due by the end of 1996. In accordance with constitutional procedures, a new Council was appointed on 6 November.

III. DEPLOYMENT AND OPERATIONS OF UNSMIH

6. Members of the Security Council will recall that, in response to the Council's request in resolution 1063 (1996) that I report to it on prospects for further reductions in the strength of the Mission, I recommended on 1 October [*see S/1996/813, para. 55*] that, in the light of the serious deterioration in Haiti's security situation, the Mission's current military and civilian police strengths should be maintained (*see annex*). At that time, I also expressed the view that the existing strength of UNSMIH constituted the minimum required for the implementation of its mandate [*ibid., paras. 17-19*], as well as my conviction that further reduction would diminish the Mission's operational and training capability and place the discharge of its mandate at risk. I take this opportunity to reiterate that assessment. The numerous incidents of violence between July and early September, which placed great demands on UNSMIH, clearly demonstrated the limitations of the current troop strength. To counter those limitations, the military element of UNSMIH introduced several operational innovations. The judicious use of air patrols in close coordination with ground patrols proved to be effective. In view of the reduced violence in the capital in recent weeks, UNSMIH has resumed patrolling in areas of the countryside more susceptible to criminal activity. When appropriate, joint civilian police/HNP/military patrols continue around the country.

7. The rules of engagement have been designed in a way that allows UNSMIH to discharge fully its mandate to assist the Government of Haiti in the professionalization of the new civilian police and in the maintenance of a secure and stable

environment. They authorize the use of force in self-defense and the defense of all UNSMIH personnel and to oppose forcible attempts to impede the discharge of the Mission's mandate. The level of such assistance to the Government is determined on the ground in the light of prevailing conditions by my Special Representative in consultation with the Force Commander of UNSMIH and in close cooperation with President Préval and his Government.

8. The civilian police element of UNSMIH continues to concentrate on training HNP personnel, both in the Police Academy and in the *commissariats* around the country. Nine civilian police officers have been named technical advisers to the Departmental Directors of HNP, six of whom are now in place. The strength of the civilian police element was increased in late October by the addition of 17 Creole-speaking officers from the United States and by the arrival of its first member from India. Civilian police activities are focused in large part on training mid-level officers in order to fill a void in the HNP command structure that continues to impinge negatively on its effectiveness. In November, civilian police personnel will conduct the sixth training session for *commissaires*, bringing the total number of trained officers to 86 of the 150 required. On 23 October, 60 university graduates took the qualifying examinations for this position, and additional sessions are planned. In order to fill vacancies at the intermediate *inspecteur* level quickly, the civilian police continue to train agents in the two upper professional categories (agents "3" and "4") for potential command positions [*ibid., para. 23*]. Since most of the country remains without any criminal investigative capacity, the human resources of HNP are being reviewed in order to identify candidates for a new criminal investigation unit of some 30 detectives.

IV. HAITIAN NATIONAL POLICE

9. Since late September the performance of the Haitian National Police in Port-au-Prince and in the rest of the country has improved markedly. Absenteeism, although still a problem, has dropped, and officers are participating more regularly in training opportunities offered by the civilian police element of UNSMIH. HNP is now more visible around the capital where it is directing traffic effectively. Bolstered by the addition of 82 new squad cars, it has achieved a greater degree of preparedness. The police are also beginning to make inroads into criminal networks, and have scored a number of successes by moving against drug dealers and unearthing weapons caches.

10. This progress can be attributed to several factors. As mentioned above, six of nine departmental directors have now been installed, providing an occasion for field visits by headquarters staff which gave a welcome boost to the morale of local HNP personnel. Progress has also been noted in enforcing compliance with ethical, human rights and professional standards. The Inspector General's office has increased its visibility at the national level by issuing bimonthly reports on its investigative findings. Some 40 agents have been dismissed to date for various infractions. The results of its corps-wide performance survey are forthcoming. The positive effect in the force of this increased accountability as well as its contribution to building public confidence in the institution cannot be overestimated. Another lift to morale, which no doubt translates into improved performance, can be attributed to the regular payment of monthly salaries, as well as the renovation by UNSMIH of some 20 police stations and the continuing work on another five. Monthly review meetings, chaired by President Préval, which bring together top HNP management, UNSMIH, the International Civilian Mission in Haiti (MICIVIH) and bilateral donors, are also beginning to prove effective. After a hiatus, the "support and follow-up group" formed by the Director-General is now meeting regularly and should prove useful in translating plans into action.

11. Despite these encouraging signs, major gaps remain and the installation of the basic systems and key components of the Haitian National Police has yet to be realized. Command centers (*centres de renseignements et d'opérations*) at HNP headquarters and in the departments are still not fully operational, though equipment has begun to arrive. *Commissaires* and *inspecteurs* have been deployed at a greater rate of late, but many of these mid-level management positions remain to be filled, leaving rank-and-file personnel without the necessary leadership and direction. Many posts remain underequipped and physically inadequate. Ninety-one HNP stations have been slated for renovation during 1997. The management of personnel and of the payroll remains inadequate, as do accountability for equipment and record-keeping in general.

12. As the institutional development of HNP slowly acquires its own momentum, the continuity and reliability of technical advice takes on increasing importance. In keeping with the regulations of some contributing countries, almost two thirds of the UNSMIH civilian police element are rotated frequently. While this system allows for police functions to be carried out, it makes technical assistance, which is based on specific expertise and the establishment of relationships of confidence, much more difficult. In addition, the uncertainty generated by the short renewals of the mandate of the Mission weakens institution-building efforts which, by definition, require a medium- to long-term commitment. At the request of the Government of Haiti, my Special Representative has initiated the establishment of a technical assistance programme designed to provide HNP with expertise to carry out this longer-term effort and to provide the necessary continuity to the efforts of UNSMIH, particularly after the end of the Mission.

13. Members of the Security Council will recall that, in response to resolution 975 (1995), I set up a voluntary fund to assist with the creation of an adequate police force in Haiti. As I previously reported [*ibid., para. 33*], this Trust Fund has received a total of US$ 3,250,000, which has been used primarily for the purchase of equipment and renovation of police stations. Although, as indicated in my last report, many of the country's police stations are still in dire need of repair, concessional resources from donor countries now appear to be sufficient to cover next year's programmed requirements in this regard. For these reasons, and as already noted, the Trust Fund's resources will in the future be used

increasingly to contract the services of law enforcement professionals who will provide technical assistance to HNP management and to each of the nine departmental directors. The importance of this technical assistance programme becoming operational as soon as possible cannot be overemphasized if the continued institutional development of HNP is to be ensured, and I therefore call once again on Member States to contribute generously to the Trust Fund.

V. JUSTICE SYSTEM

14. As I suggested in my last report, judicial reform is not keeping pace with developments in the public security sector, and resources and expertise offered are not being adequately exploited. Over the last several months some 40 persons have been detained on charges of plotting against the security of the State or committing acts of violence. Many of these cases have stagnated in a court system largely unable to process judicial cases. This is illustrated by the fact that 80 per cent of people incarcerated nationwide are in pre-trial detention. In response to this situation, some ad hoc mechanisms were put into place which, while seemingly expedient, were of questionable legality and later had to be abolished. While there are some laudable initiatives to modernize and professionalize the justice sector, its continuing inability to respond professionally to such challenges underlines the long-standing need for fundamental reform. In the meanwhile, the fact that the courts are not able to fulfil their part in law enforcement threatens to undermine progress achieved in the police.

VI. DEVELOPMENT ACTIVITIES

15. At the end of September, the Parliament adopted two laws which complemented previous government measures with regard to the structural adjustment programme, on modernization of State enterprises and civil service reform. This allowed multilateral and bilateral donors to release close to $40 million for budgetary support before 15 November, of a total of about $120 million for the current fiscal year. Three major challenges remain for the next few months: swift implementation of the two new laws; approval of the budget for fiscal year 1996-1997, currently under discussion in Parliament; and the start-up of already financed large infrastructure projects which are finally scheduled to commence early in 1997. The considerable delays in starting these projects continue to cause concern. The Préval Government is making strenuous efforts to meet these challenges and economic growth should now begin to accelerate, with a favourable impact on employment in 1997 and beyond.

16. One promising step is a recently launched mechanism whereby donors will meet periodically by sector with the appropriate minister to review progress in development projects and to consider plans for new initiatives. So far, such meetings have been held in the areas of social affairs, education, culture, gender equality and the improvement of the situation of women, agriculture, and road infrastructure. Though progress has been slow to date, steps are being taken to reactivate this potentially useful arrangement. In particular, the successful methodology developed in the agricultural sector will be applied to the other sectors with the intention of establishing a fully functional information and progress review mechanism by the beginning of December to be presented to the next consultative group meeting of bilateral and multilateral donors and financial institutions.

VII. FINANCIAL ASPECTS

17. The cost of maintaining the United Nations Support Mission in Haiti at its authorized strength for the 12-month period from 1 July 1996 to 30 June 1997 was estimated at $57,187,400, equivalent to $4,765,600 per month, in my report on the financing of UNSMIH dated 9 September 1996.[1] The General Assembly, by its resolution 51/15 of 4 November 1996, appropriated the amount of $28,704,200 for the period ending on 31 December 1996.

18. Should the Security Council decide to extend the mandate of UNSMIH, as outlined in paragraph 24 below, the resources required for the maintenance of the Mission will be sought from the General Assembly during its current session on the basis of my financing report indicated above.

19. An amount of $23,957,000 was assessed for UNSMIH by the General Assembly in its resolution 51/15 for the period from 1 July to 30 November 1996. The total of outstanding assessed contributions for all peacekeeping operations on 31 October 1996 amounted to $1.8 billion.

VIII. OBSERVATIONS

20. The establishment of a new national police force is a complex, difficult and lengthy task. In the case of Haiti, the following elements should be considered to help measure the results achieved: (*a*) the completion of the deployment of the HNP officer corps; (*b*) the deployment of the force according to a coherent plan that takes into account Haiti's terrain, the characteristics and needs of its population and the incidence of criminality; (*c*) the establishment of fully operational personnel and logistics systems; (*d*) the definition of a curriculum (including its duration) for the basic training of *commissaires*, *inspecteurs* and rank-and-file personnel, as well as the establishment of training centres in each *Département*; (*e*) assimilation of the concept of "community policing" at the rank-and-file level; (*f*) the establishment of a functioning telecommunications system; and (*g*) the establishment of an information storage and retrieval mechanism, as well as a monitoring and planning system for the force.

21. A chart of outstanding tasks for the consolidation of HNP was discussed in Port-au-Prince on 7 November at a trilateral meeting of the Government of Haiti, the "Friends of the Secretary General for Haiti" and UNSMIH. Achievements to date were reviewed and a 12-month programme of work was approved.

22. Only 18 months have elapsed since the first class of police officers graduated. Much has been accomplished in this relatively short period. However, HNP is not at this

stage in a position to ensure its own continued development while at the same time maintaining security and stability in Haiti. Crime is still a major problem and the potential for incidents may increase as the police step up their efforts to deal with it. Several steps taken by the Haitian authorities, such as their decision to address the legitimate financial claims of the former members of the armed forces, the arrest of several former soldiers implicated in violent acts, and police operations against criminal gangs and arms caches have made an impact and helped reduce the potential threat. However, armed groups which oppose the Government, though mostly inactive for the past several weeks, have not been reined in.

23. In my report of 1 October [*S/1996/813*], I observed that the Haitian National Police had not reached the level of experience and confidence required to control and defeat threats posed by subversive groups, and that it was clear, therefore, that the presence of the UNSMIH military element was a key factor in the ability of the Haitian authorities to contain the danger of destabilization by forces threatening democracy. The presence of UNSMIH continues, therefore, to be required to give the international programme of support the firm foundation necessary to ensure its success, to allow for an orderly transfer to the Haitian authorities of the functions now being carried out by the Mission, and to consolidate the considerable investment made by the international community in the restoration of democracy in Haiti.

24. Should the Government of Haiti so request, I would be ready, therefore, to recommend that the Security Council extend the mandate of UNSMIH until 30 June 1997 at its current strength. As I mentioned in paragraph 6 above, I remain convinced that further reduction in the size of the Mission in the present circumstances would diminish its operational and training capabilities and place the discharge of its mandate at risk. However, during this period, I would again ensure that the force level is kept under constant review so that the remaining tasks can be completed at the lowest possible cost to Member States. I shall notify the Security Council immediately upon receipt of a request from the Government of Haiti.

[See map at the end of present volume.]

ANNEX

Composition and strength of UNSMIH military and civilian police elements at 1 November 1996

	Military			
Nationality	*Operational*	*Headquarters*	*Voluntarily funded*	*Civilian police*
Algeria				15
Bangladesh		8		
Canada	515	38	200	96
Djibouti				19
France				89
India				1
Mali				37
Pakistan	25	13	500	
Russian Federation				5
Togo				7
Trinidad and Tobago		1		
United States of America				17
Total	**540**	**60**	**700**	**286**
Grand Total	**600**		**700**	**286**

DOCUMENT S/1996/814

Letter dated 1 October 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*1 October 1996*]

I have the honour to transmit the attached report, which I received today from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Letter dated 29 September 1996 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

I have the honour to transmit to you my third report on my activities as High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. I would appreciate your making this report available to the Security Council.

With the certification by the Organization for Security and Cooperation in Europe (OSCE) of the results of the elections held on 14 September in accordance with annex 3 of the Peace Agreement completed today, I hereby confirm that conditions have been met for decisions envisaged in paragraph 4 of Security Council resolution 1022 (1995) of 22 November 1995 to be taken. I request that the Security Council be duly notified.

(*Signed*) Carl BILDT

APPENDIX

Report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

I. INTRODUCTION

1. In its resolution 1031 (1995) of 15 December 1995, the Security Council endorsed my appointment as High Representative to "monitor the implementation of the Peace Agreement and mobilize and, as appropriate, give guidance to and coordinate the activities of the civilian organizations and agencies

involved" in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") [*S/1995/999*]. I hereby submit my third report envisaged in annex 10 of the Peace Agreement and the conclusions of the London Peace Implementation Conference, held on 8 and 9 December 1995.

2. The present report covers developments in the areas listed below during the period from the beginning of July to the end of September 1996.

II. INSTITUTIONAL ASPECTS

Office of the High Representative

3. My headquarters in Sarajevo and the secretariat in Brussels have in the period under review continued to maintain operational coordination of civilian implementation activities inside Bosnia and Herzegovina and strategic-level contacts with the headquarters of the respective implementation organizations and agencies, closely following, to the extent possible, the various international gatherings dealing with the Bosnian peace implementation.

4. In addition to the regional branch office of the High Representative in Banja Luka, a representative of the Office of the High Representative (OHR) has started working in Tuzla, the second largest city in the territory of the Federation of Bosnia and Herzegovina, providing a valuable point of contact to the different official and political institutions in the important northern region of Bosnia and Herzegovina.

Working Groups of the International Conference on the Former Yugoslavia

5. The Working Group on National Minorities under Martin Lutz continued to maintain regular contact with ethnic groups within the Federal Republic of Yugoslavia and Croatia, as well as with the Governments of the two countries.

6. My team will continue to encourage dialogue on Kosovo between the Government of the Federal Republic of Yugoslavia and the legitimate representatives of the Kosovar Albanians and will continue to suggest initiatives for reducing tension in that volatile area. In this context I welcome the agreement on education in Kosovo signed on 1 September and look forward to its early implementation.

7. The Special Negotiator on State Succession Issues, Sir Arthur Watts, held a third round of discussions in Brussels with each of the five States in July. In the light of those and previous discussions, he put forward some ideas for progress to the parties in mid-July. Subsequently, a fourth round to discuss these ideas was held with all five States in Brussels from 5 to 12 September. Further discussions will take place in October.

Peace Implementation Council

8. The Steering Board of the Peace Implementation Council continued its monthly meetings at the level of political directors of the respective Foreign Ministries, each devoted to specific issues of the peace process. The discussion at the meeting in Brussels on 30 July centred on the preparation of elections in Bosnia and Herzegovina, and also examined the proposal for a two-year consolidation period. The next meeting, also held in Brussels, on 5 September, focused on the preparations for the post-election period and endorsed the High Representative's plan of action. Reports of the Working Groups of the International Conference on the Former Yugoslavia were also presented. A further meeting of the Steering Board, which will take place in my office in Sarajevo on 2 October, will discuss progress in the setting up of common Bosnia and Herzegovina institutions, as well as preparations for municipal elections and results of the United Nations International Police Task Force Donor Conference, held at Dublin on 28 September.

9. In addition to the Steering Board sessions, other important international meetings in various formats, including that of countries that had witnessed the signing of the Peace Agreement, were taking place on a frequent basis. OHR was represented by myself or senior members of my staff. These meetings, some attended by delegations of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia, contributed to promoting the political and other aspects of peace implementation. It is my understanding that further meetings of this nature will take place.

III. COORDINATION OF CIVILIAN IMPLEMENTATION

Overall coordination

10. Another meeting of the major implementation agencies was held at my office in Brussels on 15 July in order to assess the efforts undertaken by the different international agencies and organizations involved in the implementation of the Peace Agreement. A further meeting is planned for 8 October.

11. I have continued extensive consultations with representatives of Governments and organizations. On 31 July I met the Secretary-General in New York and on the same day reported to the members of the Security Council on the progress in the Bosnian peace implementation. I then met with the Security Council again on 26 September. I also had several meetings with the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE). On 7 September I addressed an informal ministerial meeting of the European Union (EU).

12. In Sarajevo, I have been convening on a regular basis principals' meetings with the participation of the Commanders of the Implementation Force and the Ace Rapid Reaction Corps, the Special Representative of the Secretary-General and the Commissioner of the United Nations International Police Task Force, the Special Envoy of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the OSCE Head of Mission. These meetings have proved most helpful and effective in coordinating efforts of the major implementation structures on the ground, particularly in the run-up to elections.

Operational coordination

13. On the ground in Bosnia, the Joint Interim Commission (JIC), composed of delegations led by the Prime Ministers of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska and chaired by me, in its last meeting at the beginning of July established a Subcommittee on Preparations for the Post-Election Period (JIC-PE), in which all three Governments are represented at the ministerial level. Under my chairmanship the Subcommittee has been meeting regularly and has dealt with a wide range of issues concerning the political and constitutional implementation of the Peace Agreement in the period following the 14 September elections. At these meetings many issues have been clarified with the parties. That has contributed to shaping OHR post-election planning.

14. The Joint Civilian Commission (JCC) and the four regional Joint Civilian Commissions (North, West, South and Sarajevo) have been meeting periodically, chaired by my Principal Deputy, Michael Steiner. The JCC sessions, where Ministers of the Governments of Bosnia and Herzegovina, and the Federation and the Republika Srpska have been sitting together with representatives of the most important international organizations, have dealt with a variety of practical issues concerning the civilian implementation, including return of refugees and displaced persons, property issues, election preparations and economic reconstruction. The regional JCCs, bringing together representatives of both entities' local authorities to discuss issues of particular interest to each region, have proved to be very useful for promoting confidence between them. All these meetings have contributed to easing possible tensions and establishing contacts between the major factors of the political and economic life of the country. Overall, the JCC framework, most helpful in facilitating inter-entity confidence-building, should be maintained for the next stage of peace implementation.

15. The Joint Commissions established under the relevant annexes of the Peace Agreement continued their work in their respective fields.

16. Activities of the Provisional Election Commission (annex 3), chaired by OSCE, are referred to in a subsequent section of the present report.

17. The two constituent parts of the Commission on Human Rights (annex 6)—the Human Rights Chamber and the Ombudsperson—have been working effectively since their establishment in late March. The

Ombudsperson, Gret Heller, has received more than 300 complaints, 10 of which have been referred to the Human Rights Chamber. An office of the Ombudsperson was opened in Banja Luka in July. The Human Rights Chamber has been developing its rules of procedure, while at the same time beginning consideration of cases. While the efforts of the Commission on Human Rights during this start-up period are commendable, much remains to be done in establishing the Commission as an integral part of the legal framework of Bosnia and Herzegovina. Many if not most victims of human rights abuses in Bosnia and Herzegovina are unaware of the new institutions that were created under the Peace Agreement; others who have suffered abuses remain afraid to complain or sceptical as to whether the legal system will consider their claims fairly. At the same time, the authorities of the country have not yet put in place the necessary framework to ensure that the institutions of the Commission are supported in their work and that their decisions are implemented promptly and effectively. The Commission institutions are, at this point, funded by international donations, despite the requirement under the Peace Agreement that expenses of the Commission be borne by Bosnia and Herzegovina.

18. The Commission for Real Property Claims of Displaced Persons and Refugees (annex 7), mandated to restore a fair and just system of property rights in Bosnia and Herzegovina, has been meeting regularly to analyse complex property laws and to establish principles for its future decisions. On 4 September a Headquarters Agreement was signed, which gives the Commission freedom from influence by any authority in Bosnia and Herzegovina when performing its duties in the country. The Commission has also begun its enormous operational task. Hundreds of thousands of claims are expected to be received from people both within the country and abroad. Coordinated from various field offices, mobile data-collection teams will travel throughout the country to meet people and give them the possibility to submit their claim. Similar systems will operate in countries abroad. During its initial period of operation, the Commission will give priority to the claims concerning the return of real property in its present state and will disregard laws, regulations and rules of any date if they are inconsistent with international human rights standards relating to property.

19. The Commission to Preserve National Monuments (annex 8), coordinated by the United Nations Educational, Scientific and Cultural Organization (UNESCO), continued discussions on defining a universally acceptable nomination form for immovable properties and working methods of the Commission. Another issue under discussion was the establishment of the Scientific Secretariat. A new session is planned for mid-October.

20. The Commission on Public Corporations (annex 9), chaired by the European Bank for Reconstruction and Development (EBRD), has held five sessions and set up two working groups, on electricity and railways. The task of the working groups is to identify problems that ought to be solved within the framework of a public commission. The public commission in question would be the regulating agency for respective companies from both entities addressing issues such as tariffs and norms.

Elections

21. Elections at the State, entity and cantonal levels were held on 14 September. To achieve that goal, a very substantial collective effort had been required of the international community in the preceding months. The successful conduct of the municipal elections in Mostar on 30 June had given an important psychological boost to the general elections. The Provisional Election Commission (PEC) continued its work on the election rules and on the practical aspects of the preparations. In addition, it decided on 19 July that any political party that maintained in a party position or function a person who was under indictment by the International Tribunal for the Former Yugoslavia and who had failed to comply with an order to appear before the Tribunal, would be deemed ineligible to participate in the elections. While this measure was of general application, it also represented a further step in the efforts of the international community to ensure that Mr. Radovan Karadzic ceased to exercise public office and to influence the election process. Also, with my full support, the PEC on 6 August adopted a decision authorizing its Chairman to make available the necessary facilities for the functioning of the Open Broadcast Network. An Elections Appeals Subcommission was established to ensure compliance with the electoral rules and regulations.

22. The 14 September elections were held in a calm, orderly and dignified manner. This was as a result of the cooperative attitude of the parties, bolstered by the major planning effort on the part of all of the key international agencies. These included OSCE, which played the leading role, the United Nations Mission in Bosnia and Herzegovina (UNMIBH), UNHCR and the substantial efforts of the Implementation Force (IFOR). My office coordinated these efforts closely. Apart from a small number of isolated incidents, election day was not marred by acts of violence. Similarly, there were no serious restrictions to freedom of movement. Fewer than expected of those citizens who had been displaced from their homes in the territory of the Republika Srpska availed themselves of the arrangements that had been put in place to enable them to vote in person where they had lived in 1991.

23. The conduct of the elections was monitored by a very large number of international monitors coordinated by Eduard van Thijn in accordance with a mandate from the Chairman-in-Office of OSCE. Mr. van Thijn issued a preliminary statement on 16 September as well as a final statement on 24 September summing up the observations and judgements of the international monitors. The statements of the Coordinator for International Monitoring are enclosed herewith (*see attachments I and II*).

24. Election results were certified by the Provisional Election Commissions on 29 September after the Elections Appeal Subcommission had also dealt with a large number of appeals. After careful consideration, none of these was seen as calling into question the validity of the elections and the results as certified by the PEC. On 30 September, the Chairman-in-Office of OSCE informed me of the position with regard to the certification of the election results by the PEC and also brought to my attention the letter which he had received from the Chairman of the PEC on this matter.

25. The term of the members of the Presidency of Bosnia and Herzegovina had been defined in the Peace Agreement as being two years for the first elections. The parties agreed that the terms of office of all those elected in the first elections should be harmonized and fixed at the same duration. It was left to the parties to determine how to implement the new regulations before the September elections, as voters should be entitled to know the duration of the terms of office for which they would elect candidates. On the eve of the elections both the Parliamentary Assembly of Bosnia and Herzegovina and that of the Federation of Bosnia and Herzegovina adopted the necessary measures. Although the item was included in the agenda of the National Assembly of the Republika Srpska, no decision was taken. In order to have the matter regulated should the parties not be able to adopt such rules in time before the elections, the PEC decided to include the necessary provision in its own rules and regulations, and on 13 September decided that the term of office for all those to be elected on 14 September would be two years. It also decided that the terms of Municipal Councillors, to be elected in the first elections, would expire on the same day as the terms of all those elected on 14 September.

26. Elections were not held for municipal governing authorities. The evidence of manipulation of the voter registration option enabling refugees to vote where they intend to live acted as a catalyst for the decision of the Chairman of the PEC, on 27 August, to postpone the municipal elections. These elections were not essential to the task of implementing the common institutions, but as municipal governing bodies are an important element of Bosnian society, elections should be held as soon as feasible. To that end, the parties have agreed to an extension of the mandate of the PEC until the end of 1996 and that OSCE will be engaged in the supervision of the elections. Substantial resources from the international community, both civilian and military, will be required so that the municipal elections can be organized and conducted in conditions of security.

Post-election transition

27. The successful conduct of elections has marked the conclusion of the third phase of peace implementation. We are now entering the fourth, and most sensitive, phase, which includes primarily the setting up of com-

mon institutions of Bosnia and Herzegovina and will eventually bring us to the conclusion of the year-long mandates of the implementation agencies. It is during this phase that the future destiny of Bosnia and Herzegovina will be defined—either it survives as a single State consisting of two entities, or goes down the road of partition with dire consequences for the whole region.

28. Using the final authority of the High Representative in theatre in civilian implementation of the Peace Agreement, as stipulated in annex 10 of the Peace Agreement and further described in the Geneva Agreed Measures of 14 August, immediately after the preliminary election results were announced, I publicly announced on 19 September transitional arrangements designed to stimulate the formation of the common institutions and to avoid the creation of a power vacuum as well as any ambiguity concerning the continuity of the State of Bosnia and Herzegovina. Under these arrangements, from the moment the newly elected Presidency of Bosnia and Herzegovina assumes office upon the certification of election results, all existing governmental bodies within the territory of Bosnia and Herzegovina will perform their functions on a caretaker basis until they are replaced by new bodies.

29. Pending the proclamation of the final results of the voting, I have already had meetings with the members of the newly elected Presidency. With the results now certified, it is my intention to have the first official meeting of the Presidency convened as soon as possible. I will then help convene the inaugural session of the House of Representatives, to be held jointly with the Presidency.

30. In order to facilitate the proper initial functioning of the common institutions, my office, in collaboration with a number of international organizations, is preparing a quick start package comprising the minimal legislative basis for the Government of Bosnia and Herzegovina to operate. It will include, inter *alia*, laws covering foreign economic relations, citizenship and passport regulations, setting up of the Central Bank of Bosnia and Herzegovina, duration of the parliamentary mandate, immunity and Presidency succession, as well as air traffic regulations and a draft budget for 1997.

31. The process of adapting the constitutions of the Federation of Bosnia and Herzegovina and the Republika Srpska to the provisions of the Constitution of Bosnia and Herzegovina has now almost been completed. The Venice Commission of the Council of Europe has been studying the constitutional amendments made by the entities so far and recommended the further steps that were necessary. At my request, further consultations between members of the Venice Commission and representatives of both entities took place in Sarajevo at the end of August and proposals for amendments were made in order to enable the entities to adopt the necessary amendments before the September elections.

32. Although the Federation Assembly has not so far been able to adopt the proposals of the experts, the necessary changes must be made as soon as the new Federation Assembly is convened. Shortly before the September elections the Republika Srpska Assembly adopted a considerable number of constitutional amendments on the basis of the recommendations made by the Venice Commission. Although most of the provisions that were incompatible with the Constitution of Bosnia and Herzegovina have now been deleted or amended, there are still a few changes to be made in cases where the Republika Srpska Assembly did not follow the recommendations of the experts. If the Federation and Republika Srpska Assemblies do not implement the remaining proposals of the Venice Commission, the Constitutional Court of Bosnia and Herzegovina will have to decide whether the constitutional provisions in question are consistent with the Constitution of Bosnia and Herzegovina.

Federation issues

33. A fully functioning Federation of Bosnia and Herzegovina remains one of the cornerstones for the successful implementation of the Peace Agreement. For this reason OHR efforts, in conjunction with efforts of some Governments, have continued with the aim of supporting the establishment of functioning Federation structures.

34. In general, these efforts have been hampered by the different procedural approaches of the Federation partners concerning the dissolution of existing administrative arrangements in the territory under the control of the Croatian Defence Council (HVO), namely, the "Croat Republic of Herzeg-Bosna ", and parallel establishment of Federation structures, and merging of institutions of the former Republic of Bosnia and Herzegovina into Federation structures. In a number of substantial policy areas, this difference in approach has led to a stalemate in the establishment of Federation structures. An area of special concern for the OHR is the facilitation of an agreement between the Federation partners concerning the future organizational structure of Sarajevo.

35. Progress in implementing the Federation clearly exists but has been regrettably slow. The Sarajevo Agreement of 30 March 1996 resulted in the establishment to a unified federal customs and financial system. The Petersberg Agreement of 25 April was a decisive step towards the establishment of new, democratic police structures in the Federation. The Blair House Agreement of 14 May paved the way for the adoption of a Federation Defence Law, envisaging the unification of existing defence structures inside the Federation. The Geneva Agreed Measures of 14 August further increased international pressure to dissolve "Herzeg-Bosna" and to finalize the establishment of working sructures within the Federation.

36. The Federation partners recognize that a self-sustaining Federation is an indispensable precondition for the successful implementation of the Peace Agreement. Nevertheless, much groundwork remains to be done in order to create truly stable and democratic Federation structures. OHR efforts to facilitate further implementation of these structures will continue. They require, however, active and increased commitment and cooperation of the political leaders of the Federation partners.

The Inter-Entity Boundary Line and Brcko arbitration

37. Building on the substantial progress achieved earlier in adjusting the Inter-Entity Boundary Line (IEBL), on 17 July the parties signed a formal agreement resolving most of the practical issues that had been outstanding at the time of the signing of the Peace Agreement. Discussions continue under IFOR auspices on the last remaining sections of the IEBL and in particular on the sensitive Sarajevo district of Dobrinja.

38. Having failed to agree by 14 July on the candidature of the third member of the Brcko arbitration tribunal, the parties later accepted, however, the appointment by the President of the International Court of Justice of Robert Owen, who has since taken the Chair of the Arbitration Tribunal. There has been no substantial progress in the arbitration process, however, owing to the existing difference of opinion between the parties on the object of the arbitration.

39. I continue to believe that the sooner the problem is tackled by the parties the better chance there is for a mutually acceptable negotiated solution, which would take into account the legitimate interests of all parties and would best serve the people of Brcko.

Media

40. My office has closely monitored the media from both entities in the pre-election period. There has been some improvement in media access, with somewhat more even-handed news reporting. However, most Republika Srpska media have continued their unwavering support of the Serbian Democratic Party (SDS), up to the exclusion of other parties. In the part of the Federation under the control of the HVO the media have been unremittingly biased towards the ruling Croatian Democratic Union (HDZ) party, and there has also been a tendency on the part of Bosnia and Herzegovina television to favour the governing Party of Democratic Action (SDA).

41. The OHR has played its part in advising and sometimes warning about inadequacies and abuses in election coverage through the OSCE Media Experts Commission (MEC). Some cases have been raised and acted

upon by the MEC. In the case of some particularly flagrant abuses, I have raised these directly with political authorities.

42. The Open Broadcast Network (OBN), in which the OHR played a leading role, began operation on 7 September, broadcasting news, entertainment and election-related material. The purpose of OBN, funded by a wide variety of international donors and currently operating under the authority of the PEC in the absence of relevant legislation, is to create a strong independent television sector in Bosnia, building on existing stations and drawing on talents from both entities. The OBN signal can now be picked up in all major population centres in the country.

Return of refugees and displaced persons

43. More than half of the population of Bosnia and Herzegovina was displaced as an aim and a result of the war. More than 1 million refugees are still living outside the country and close to 1 million displaced persons remain forced to live away from their homes within the confines of Bosnia and Herzegovina. To implement the right to return to homes of origin, annex 7 of the Peace Agreement calls upon the parties to reverse the goals of a war characterized by campaigns of ethnic cleansing. Thus, this element of peace implementation has to be addressed by strenuous efforts.

44. Ongoing efforts in this area are being hampered by a segregationist reality on the ground. Arbitrary practices disrupting many fields relevant to a civic society, acute deficits in the rule of law, the prevailing fear of the vast majority of citizens to move out of the perceived protection in areas of own ethnic dominance, in addition to the lack of housing space and employment opportunities, still prevent return. This does not only stand against return across the IEBL, but also across the ethnic division lines within the territory of the Federation. In violation of the obligation of the parties under the Peace Agreement to create political, social and economic conditions for return, the continued blocking even of the re-establishment of telecommunications, railway and commercial bus links across the IEBL, constitutes a major deterrent to the exercise of the right to return and to economic rehabilitation.

45. The summer months have seen the return of numerous refugees and displaced persons to areas of own ethnic dominance, boosting the total number of returnees since the signing of the Dayton Agreement to an estimated 200,000. Organized repatriation made up for only a small proportion of such return movements, which are in general individual, voluntary and spontaneous. On a small scale, so-called "minority return" is also happening, albeit to more tolerant communities, overwhelmingly in the Federation, or in the course of housing reconstruction programmes in the Zone of Separation. On the other hand, the social costs of perpetuated displacement are becoming more visible in neighbourhoods disrupted by the advent of displaced persons from other social backgrounds.

46. UNHCR, as the operational lead agency for the implementation of annex 7, has concentrated its efforts on targeted housing reconstruction and on confidence-building measures. My office has supported these steps, in particular within the instruments of the JCC framework. The coming months will require sustained, and even increased, international support to the housing reconstruction programmes, as well as innovative steps to promote so-called minority return, currently under consideration. The task to make return to homes of origin a reality will require a comprehensive and interdisciplinary approach within the framework of further stabilization efforts. Additional challenges, resulting from unwillingness on the part of displaced persons and refugees to return to areas in which they would constitute a minority, will also have to be addressed.

Missing persons; mass graves

47. National authorities working with representatives of the international community have proceeded with their efforts to assist the families of the missing to determine the fate of the missing and, when necessary, to retrieve and identify their mortal remains. Under the chairmanship of the International Committee of the Red Cross (ICRC), the Working Group on Missing Persons has brought representatives of the families of the missing into direct contact with the accountable authorities, thereby ensuring that the concerns of the families are heard and answers given to their requests. This is a difficult and lengthy process that is, unfortunately, proceeding slowly.

48. The Expert Group on Exhumation and Missing Persons, chaired by my office, has been assisting the parties in their efforts to carry out exhumations and identification of mortal remains. As a result, the parties have developed a priority list of sites to be excavated. Two of the three sites of highest priority have been completely excavated and work is under way on the third site. The parties are now in the process of developing a second list of priority sites. An ante mortem database is being established as a co-operative project of the United Nations Expert on Missing Persons, ICRC, Physicians for Human Rights and the Boltzman Institute. The efforts of the parties and the international community continue, however, to be hampered by insufficient resources. The United Nations Expert on Missing Persons is continuing his fund-raising campaign to address such critical needs as demining assistance and forensic and scientific supplies and equipment.

Human rights

49. Respect for human rights and the rule of law are critical to the peace implementation process. Despite commitments to uphold the highest standards of human rights protections, all parties have consistently failed to honour this obligation. Since my last report [*see S/1996/542*], the human rights situation has deteriorated in several important areas. Particularly troubling has been the increase in number and extent of human rights violations committed by police and other persons in positions of authority, as well as a substantial number of violations in the context of elections, motivated by political belief rather than ethnicity.

50. At the same time, authorities have failed to take concrete steps to rectify conditions that threaten the goal of a multi-ethnic society. Harassment of ethnic minorities, including forced evictions and intimidation, continues and responsible authorities have failed to act decisively to address this problem, as evidenced, for example, by the ongoing threats to minority residents of the Sarajevo suburbs. Discrimination against ethnic minorities in the field of employment, education and access to government services is widespread, supporting the trend towards ethnic separation.

51. Crimes against the person, especially physical mistreatment of persons by the police, are on the rise. Since my last report, all too common incidents of beatings in custody have been joined by two murders, one involving apparent torture by police officials and the other brought by beating in police custody. Although increasing numbers of persons throughout Bosnia and Herzegovina have exercised their right to freedom of movement, many do so at the risk of harassment, arbitrary detention and mistreatment by local authorities near the IEBL. In the context of the elections, these problems took on new dimensions. Candidates and supporters of opposition political parties were subjected to harassment, intimidation and violent attacks in both entities. Local authorities, including police, failed to counteract these threats and sometimes were in fact the perpetrators of the abuses.

52. In the area of legal reform, neither entity has fully complied with the requirements of the Peace Agreement. While some progress has been made in bringing the Federation and Bosnia and Herzegovina amnesty laws into compliance with the Peace Agreement, initiatives undertaken by my office and others within the international community concerning shortcomings in the Republika Srpska law on that subject have not yet yielded satisfactory results.

53. Of particular concern is the failure by the parties to address property statutes, which present a significant barrier to return of refugees and displaced persons. The parties have so far failed to fulfil their obligation to suspend enforcement of laws that have been determined to be in noncompliance with the Peace Agreement and to introduce legislative changes necessary to allow refugee return and protect property rights. Failure to take immediate action to address this fundamental issue may solidify the results of ethnic cleansing.

54. The parties must take immediate and concrete steps to implement the full range of rights afforded to all persons under the Constitution of Bosnia and Herzegovina. In particular, the parties must investigate and prosecute persons responsible for committing human rights violations, particularly in cases with tacit or active involvement of local police or other officials. In addition, the parties must take concrete steps to eliminate discrimination against ethnic minorities and returning refugees and displaced persons, which is a necessary component in creating a functioning multi-ethnic society.

55. In this respect Sarajevo remains an object of special concern. Through the Joint Civilian Commission for Sarajevo (JCCS), my office continued pursuing the goal of ensuring that the city retains its multicultural and multi-ethnic character. This requires improving conditions of security and access to housing and employment for all those who live in the region, including the remaining Serb population, and encouraging the return of those who left. We have initiated community dialogues to improve cooperation between groups in areas where security concerns have been especially acute. We have also initiated meetings between mayors from both entities. Local authorities agreed at the latest session of the JCCS, held on 27 August, to address unresolved problems regarding integration of Serb teachers, students and health workers into the Federation system, as well as to redouble crime prevention efforts. In addition, my office has helped mediate efforts to reach an agreement on a new constitution for the Sarajevo canton, which, when implemented, will ensure a full measure of political participation by all groups in the community, including their representation in legislative and administrative bodies.

56. Overall, my office, in cooperation with local actors and the international community, continues to work continuously to strengthen the institutional responses for redress of human rights violations. Ultimately, however, an improvement in the human rights climate is the responsibility of the authorities and the citizens of Bosnia and Herzegovina. In this, the political leadership is also obliged to support and foster the development of both the formal human rights institutions that were established by the Peace Agreement and Federation Constitutions, and the informal non-governmental structures that are an integral part of the development of civil society.

Detention issues and cooperation with the International Tribunal for the Former Yugoslavia

57. The effort by the international community to secure the release of persons detained in relation to the conflict as required under annex 1-A remains incomplete. Although all ICRC-registered prisoners have been released, there is evidence that the parties continue to detain an unknown number of persons arrested prior to 19 December 1995 who have not been registered by ICRC. Despite sustained pressure by my office, the parties have failed to implement the "rules of the road" agreed to in Rome on 18 February, and arrests of persons alleged by the parties to have committed war crimes continue to occur, although at a reduced level.

58. In addition, the war-time practice of exchange of detained persons continues. The risk of arrest, which is compounded by the lack of clarity on who is being sought for war crimes, substantially impedes freedom of movement.

59. Neither entity has fully complied with its obligation to cooperate with the International Tribunal. The authorities of Republika Srpska have made no effort to fulfil their obligations to arrest persons indicted by the Tribunal as required by the Peace Agreement. While authorities of the Federation of Bosnia and Herzegovina have complied by arresting indicted persons on the territory controlled by the Bosnian Army, persons indicted by the Tribunal who reside in or visit areas under the control of the HVO have not been arrested and transferred to custody of the Tribunal as required under Security Council resolution 827 (1993).

60. Following the handing over by Radovan Karadzic of his functions of President of the Republika Srpska on 30 June, further international pressure led to his resignation from the post of Chairman of the Serb Democratic Party and effective withdrawal from public view. However, the issue of his appearance before the Tribunal in The Hague to defend himself remains open.

61. Cooperation by the Republika Srpska with the International Tribunal on more technical issues has in the meantime improved. Its authorities have agreed to serve arrest warrants on indicted persons within their jurisdiction, and exhumations by the Tribunal in the Republika Srpska have proceeded without hindrance. A Tribunal office has opened in Belgrade. While Federation authorities have generally cooperated with the Tribunal, within the last few weeks there have been troubling exceptions. Trials of suspected war criminals began in Federation courts without proper notification of the Tribunal; in one instance, a conviction occurred without the Tribunal having had any opportunity to review the case.

Economic reconstruction

62. Economic revival and long-term rebuilding of the economy remain major preconditions for peace and economic stability. Much work has already been done to restore economic infrastructure after the ravages of war and to provide a sound basis for a return to prosperity. I have continued my efforts in this task with major economic implementation agencies, namely, the World Bank, the European Commission, EBRD, the International Monetary Fund (IMF) and the International Management Group. Regular meetings on a weekly basis have been held in Sarajevo with these agencies to discuss and coordinate plans and to establish priorities.

63. Thirteen sectoral task forces have been established jointly by the European Commission and the World Bank to coordinate the donor efforts in respective fields. The task forces bring together the most important donors as well as the representatives of the beneficiaries to discuss project implementation, to identify financing gaps and to discuss sectoral development. In order to increase the efficiency of the task forces, measures have now been taken to restructure the task force format to some extent. The restructured task forces will address issues concerning policy development and increase project implementation monitoring. The task forces report to the OHR.

64. Project implementation has picked up during the last three months and relevant implementation structures have been set up. However, this mainly applies to the Federation of Bosnia and Herzegovina as the Republika Srpska has to a certain extent been overlooked by the international community and has itself tended to continue its somewhat reluctant attitude towards cooperation with the international donor community. Some positive development has, however, taken place in the Republika Srpska as the respective authorities agreed in the summer to sign three subsidiary loan agreements with the State of Bosnia and Herzegovina on World Bank projects, thus opening the door for participation in these programmes.

65. According to the latest statistics, firm donor commitments for 1996 add up to US$ 1,520 million. The total amount under different stages of implementation is $880 million, of which $558 million has been disbursed. The Federation territory has received 82 per cent of the total assistance efforts under implementation, while 17 per cent represent activities of an inter-entity nature. Only 1 per cent of the total activities are under implementation in the Republika Srpska. Even in the Federation the assistance efforts have so far concentrated on few areas, where only two cantons and Sarajevo have received two thirds of the total. In the future this tendency must be reversed and a more balanced approach must be obtained both concerning the Federation territory and the Republika Srpska, considering the degree of damage, needs and political conditionality.

66. Within the framework of reforms that facilitate economic recovery and transition of Bosnia and Herzegovina to a market economy, I have stressed certain priority sectors such as infrastructure, employment generation and restart of production. Some positive examples can be mentioned: rehabilitation of rail tracks between Sarajevo and Ploce, rehabilitation of three principal power plants and four main transmission lines, and picking up of small-scale commerce. However, the speed of implementation has very often been slower than expected and serious financing gaps still exist in all priority areas. I strongly encourage the donor community to make good on pledges announced and to accelerate procurement activity in order to take full advantage of the remaining construction season of 1996. I would also like to point out that regrettably too often political constraints on the

ground have either slowed down or totally hampered the speed of implementation, and subsequently the lack of basic infrastructure, for instance of an adequate telecommunications system, effectively prevents economic cooperation from taking place between the entities. I have made it very clear that these tendencies cannot continue.

67. Preparations for the next stage of recovery have been started. The major tasks to be addressed in the post-election phase of Bosnia and Herzegovina's economic development include, *inter alia*, rapid installation of State institutions, implementation of sound macroeconomic policies, adoption of a legislative framework conducive to the transition to a market economy and continuing the reconstruction efforts. The success of these efforts depends on close cooperation among the major international implementation agencies.

Mine clearance

68. Progress with the physical removal of mines remains slow, but clearance of some roads, airports, war graves and resettlement areas has been completed and more is under way. The first World Bank pilot contracts have been placed and the Republika Srpska has belatedly accepted World Bank credits.

69. Since I last reported [*ibid.*], considerable progress has been made with organization and training. The United Nations Mine Action Centre in Sarajevo has been recruiting more international and local staff, a regional office has been established in Banja Luka, the national electronic minefield database has been installed, maps have been issued and mine-awareness training continues. To date, some 60 mine survey specialists have been trained, Norwegian Peoples Aid has trained over 120 mine clearers and EU has placed contracts for the training of a total of 200 mine survey and explosive ordnance disposal specialists. The expanded United States Government programme of training and mine clearing is under way.

70. However, much remains to be done. Lack of freedom of movement continues to restrict training and local involvement in management. Funding falls short of that required and the Federation authorities' insistence on levying some 50 per cent tax and social security charges, which they are unable to audit, on the salaries of local staff has delayed the finalization of some projects. There is also concern that after the winter period there will be a lack of mine-clearing capacity to deal with the task in 1997.

71. In order to address these problems, the Mine-Clearance Task Force under the Chairmanship of the Deputy Special Representative of the Secretary-General has been restructured. This group will now oversee the activity of the United Nations Mine Action Centre and establish policy, determine priorities and seek funding for mine clearing. This Task Force will subsume the Mine-Clearance Policy Group activity. It is hoped that the newly elected Government will be more ready to cooperate than has been the case to date. This will be essential if the United Nations proposal to train and equip up to 2,000 mine clearers before April 1997, and possibly employ this work force during the 1997 mine clearing season, is to become reality.

Regional stabilization

72. Implementation of the Agreement on Subregional Arms Control pursuant to article 4 of annex 1-B of the Peace Agreement, which was signed in Florence, Italy, on 14 June, has so far gone according to schedule. The baseline validation period inspections began on 18 August. To date, 25 inspections have been conducted out of the total of 96 to be carried out before the end of the validation period on 31 October. OSCE has reported some difficulties with regard to the definition of points of entry between the parties on the territory of Bosnia and Herzegovina, which have somewhat disrupted initial planning. Otherwise, the inspections have gone on unhindered.

73. The parties have notified their reduction liabilities and are expected to start their reductions of stockpiles of armaments covered by the above Agreement by mid-October. OSCE is providing assistance to the parties in the implementation of their obligations.

74. The OSCE Special Representative, who is to assist the parties by helping organize and conduct negotiations on regional arms control envisaged in article 5 of annex 1-B, is expected to be appointed by the time of the OSCE summit in early December, thus opening the way for substantial negotiations between the parties concerned.

IV. COOPERATION WITH THE IMPLEMENTATION FORCE

75. Relations with the North Atlantic Treaty Organization (NATO)-led Implementation Force have continued to be most constructive. During this phase, military support to civilian agencies has increased. This contribution has been vital to progress in most aspects of civilian activity and the support to the OSCE election management has been essential and extensive. Without this support the elections could not have taken place. Procedures for the emergency protection of civilians have been refined.

76. At the strategic level, I have maintained close contact with the NATO Secretary-General, Mr. Javier Solana, and the Supreme Allied Commander in Europe, General George Joulwan. I am currently discussing support during the critical post-election phase and have written to Mr. Solana on this subject.

77. In theatre, the change of IFOR commander in July was executed without impact on civilian implementation. I wish to record my sincere appreciation for the excellent support I received from Admiral Leighton Smith during a challenging time for both of us. I am pleased that this level of support has been maintained by Admiral Joseph Lopez during his time in command.

78. The delay to the municipal elections will place additional, unexpected demands on IFOR. We are working together closely to establish what support is required and possible.

V. LOOKING FORWARD

79. As I have stressed in my previous two reports, the fourth phase of peace implementation this year after the elections is the most difficult and the most decisive for the future. It is now that we have the possibility of starting to bring the country back together again.

80. The election campaigns of the different political parties have confirmed how all of them are continuing to pursue their original long-term national aims, thus underlining the fragility of the peace process in the months and years ahead. Nationalist issues—both offensive and defensive—were at the forefront of the campaigns of the major parties, while the pressing economic and social issues of the country were sorely neglected.

81. The election results have demonstrated once more the dominant role of the nationalist parties in all of the three ethnic communities in the country, thus repeating the experience of the November 1990 elections. Although conditions for these elections, especially concerning the media, were very far from perfect, I believe that this election result does represent the mood of the different parts of the country. These were elections dominated much more by fears coming out of the past than by hopes that should be generated by the future.

82. The elections were the prerequisite for the full implementation of the new Constitution, primarily the establishment of common institutions. The future of the peace process will be determined by the success or failure in the setting up of these elaborate power-sharing arrangements. It is only by creating structures with which all of the country will be able to identify that the long-term viability and stability of the country can be secured.

83. As I have noted in previous reports, the forces of ethnic separation are still stronger than the forces of ethnic reintegration. Although movements across the Inter-Entity Boundary Line are increasing and we are trying to facilitate the development of a network of links between the entities in all spheres of social, economic and political life, true signs of ethnic reconciliation are still sorely missing. Bosnia and Herzegovina is still a country divided into three to a very large extent separate ethnic communities.

84. The power-sharing arrangements must be fair to each and every one at the same time as they must ensure the effective governance of the country. The Constitution calls for a united, but not a unitary country, based on a unique degree of decentralization of powers of the two entities—the Federation and the Republika Srpska. The common institutions of the country require a high degree of consensus in order to be able to work efficiently.

85. The constitutional implementation issues will dominate the coming weeks. The Presidency has started at its first meeting to discuss the setting up of the new Council of Ministers, with the aim of completing this before 30 October. It will take at least as long to get both Chambers of the Parliamentary Assembly ready to start to address all the issues that must be urgently addressed.

86. My office is preparing a package of interim and immediate measures we believe the common institutions must start to address as soon as they are able to commence operation. This is also a time when it will be possible to embark on discussions with the new common institutions on reconstruction assistance for the coming years, thus paving the way for the holding of a new donors' conference in the beginning of 1997.

87. The coming months must also see a resolution of the issue of the IEBL in the Brcko area. Although the Arbitration Tribunal has been set up, the political divisions over the issue have severely hampered its work. I have encouraged the President of the Tribunal to move forward towards a decision by the Tribunal during the autumn in order to make implementation possible before the arrival of winter in the area. Such a decision must be based on the principles of the Peace Agreement and take into account the fundamental geostrategic interests of the parties in the area.

88. The Provisional Election Commission has indicated that municipal elections might be held during the month of November. These will be important in determining the structure of local power across the country. IFOR has declared its readiness to give these elections its security support in the same way as for the 14 September elections. A final decision on the timing of the municipal elections is pending.

89. During the coming weeks the discussion on the future international support that must be given to Bosnia and Herzegovina is bound to intensify. From my perspective, I would like to stress the need for as early and as firm decisions on these issues as possible, since this would contribute to the political processes now under way in the country as well as in the two entities.

90. An agreement has been secured on having new national, entity, cantonal and local elections in all of Bosnia and Herzegovina in September 1998 and in my view we must look at the period between now and then as a consolidation period for the peace process, during which we must be prepared to assist the common institutions of the country in gradually carrying the process forward. If the consolidation period is successful, the September 1998 elections should be dominated more by hopes for the future than by fears from the past.

91. I believe that the goals of the ambitious Peace Agreement can gradually be achieved, but I am firmly convinced that this will not happened without a continued commitment of support and help from the international community during these two years. A security presence is an unavoidable part of this commitment, since only this can take away the fear of a conflict restarting that otherwise will seriously impair the political, economic and social process of healing and reconciliation.

92. The war crimes issue will become increasingly important during the coming period, since any true and lasting reconciliation must be based on bringing to justice those responsible for the atrocities of the war.

93. A consolidation period for Bosnia and Herzegovina during the next two years cannot be seen in isolation from developments in the region as a whole. There is a very close interaction between its different parts, and it is my conviction that only a process of integration and cooperation in the region as a whole can create an environment in which a stable and united Bosnia and Herzegovina can develop on its own.

94. Although the normalization of relations between the Federal Republic of Yugoslavia and Croatia represents a most important positive step, other issues remain to be solved. The reintegration of Eastern Slavonia into Croatia must not cause a new wave of refugees, at the same time as there is a need for more rapid progress on refugee return to the Krajina areas of Croatia. Failure to address these issues constructively could have a destabilizing effect also on Bosnia.

95. The peace process in Bosnia has now entered its most critical phase. What is at stake during the weeks and months ahead is not the question of war and peace in the short term, but the question of continued partition or gradual reintegration. But without a gradual reintegration of the country, the threat of a renewed conflict will always be there and the peace process will remain extremely fragile.

ATTACHMENT I

Preliminary statement dated 16 September 1996 by the Coordinator for International Monitoring on the elections in Bosnia and Herzegovina

1. In accordance with article III.2 (*e*) of annex 3 of the General Framework Agreement for Peace signed at Dayton and based on the decisions taken by the Ministerial Council of the Organization for Security and Cooperation in Europe (OSCE) in Budapest on 7 and 8 December 1995, the Chairman-in-Office of OSCE, the Minister for Foreign Affairs of Switzerland, Flavio Cotti, on 7 March 1996 appointed Eduard van Thijn of the Netherlands as the Coordinator for International Monitoring (CIM) of the elections in Bosnia and Herzegovina. The mandate given to Mr. van Thijn asked for an assessment of the entire election cycle.

2. The aim of the CIM's mission has been to arrive at a conclusion as to whether the election process has fulfilled the election-related commitments of the OSCE Copenhagen Document 1990 (which were annexed to the Dayton Peace Accord) and the legal framework and regulations established to govern the election process in accordance with the Dayton Peace Accord.

3. Assisting the CIM in monitoring the election process has been a small staff that arrived in Sarajevo from late April onwards and 25 long-term observers who were deployed in July.

4. Almost 1,000 international observers provided a broad presence throughout the country on election day. Sixty-five of them monitored the out-of-country voting in 23 countries. Short-term observers were contributed by 24 OSCE participating States, two partner States for cooperation with OSCE, two non-OSCE participating States, intergovernmental organizations, non-governmental organizations and local embassies. They were deployed in teams of two and recorded their findings from nearly 3,000 polling stations. This is a substantial and wide-ranging sample, which enables the CIM to make a comprehensive report on the election day proceedings. All international observers were permitted to undertake their duties with the assistance of the election authorities at all levels.

5. The detailed results of the observation are tabulated in the statistical report produced by the CIM Statistical Unit.

I. CONTEXT OF THE ELECTION

6. The CIM recognizes the unique complexity of this election in a post-war environment, in which the election process is intertwined with a conflict-resolution process. It is therefore difficult to assess the election process in Bosnia and Herzegovina, after four years of war, in accordance with the term "free and fair" as it is usually understood.

7. The criteria as expressed in the OSCE Copenhagen commitments (attached as an enclosure) and the Dayton Peace Agreement remain the only relevant yardstick. Yet the election must also be considered in a conflict-solving capacity. Whether the election leads to integration or disintegration will only become clear as immediate events unfold.

8. Within the context of the election in Bosnia and Herzegovina, several of the OSCE Copenhagen commitments were only partially met. In particular, commitment 7.6, which ensures the right to establish in full freedom political parties and provide them with the necessary legal guarantee to enable them to compete with each other on a basis of equal treatment before the law and by the authorities, commitment 7.7, which ensures political campaigning to be conducted in a fair and free atmosphere, and commitment 7.8, which ensures unimpeded access to the media, were not fully met.

9. The Dayton Peace Agreement outlines the following five basic conditions, which were only fulfilled to varying degrees: a politically neutral environment, the right to vote in secret without fear or intimidation, freedom of expression and of the press, freedom of association (including of political parties) and freedom of movement.

II. TECHNICAL EVALUATION

10. It is unusual to conduct four simultaneous elections on the same day, particularly under the logistical and security constraints that exist in Bosnia and Herzegovina. However, observers reported that almost all polling stations throughout Bosnia and Herzegovina were run very well on 14 September. Observers reported that voting was conducted properly at 97 per cent of polling stations. Overall, the polling station committees conducted their work in a professional and impartial manner. The CIM pays tribute to the dedication and impartiality of polling station staff.

11. The CIM also places on record his recognition of the achievement of the OSCE election administration in ensuring the training of these staff and the correct provision of materials to polling stations which required a very difficult logistical exercise.

12. The CIM wishes however to place on record three major areas of the election process in which significant problems occurred.

A. *Registration*

13. The CIM has already expressed his serious reservations regarding the voter registration list in his statement of 9 August.

14. Problems with the registration process in the pre-election period resulted from manipulation of the voter registration process, which undoubtedly jeopardized the integrity of the list. In particular the pressure on displaced persons to vote in "strategic municipalities" should be considered as a violation of the spirit of Dayton, and in some cases (as notably in Doboj) as unacceptable in any circumstances. However, the most severe effects of the manipulation were diffused with the postponement of municipal elections.

15. The establishment of a thoroughly revised and current voter register which instilled the necessary confidence that all qualified voters could vote once and only once would have greatly facilitated the integrity of the process.

16. Further problems with the registration of voters became clear on the day of elections. Thousands of people found themselves unable to vote because they were not entered on the final voters' list. This problem was made worse by the fact that the election regulations stated that the primary indicator for finding a voter on the register would be the ID number, but the voters' list itself was actually printed in order of date of birth.

B. *Absentee polling stations*

17. Throughout Bosnia and Herzegovina observers reported large crowds seeking to vote at absentee polling stations. While the security arrangements in ordinary polling stations were generally satisfactory, significant problems of crowd control and voter safety occurred at some absentee stations and polling had to be suspended for a period or extended. The total number of absentee polling stations was clearly insufficient. In addition, there were a number of cases where not enough ballot papers and materials were available in absentee stations.

C. *Freedom of movement*

18. Freedom of movement, and in particular access to polling by voters returning to vote in the area where they lived in 1991 or 1992 before the conflict and from which they have been displaced, has been a major issue of concern. This freedom of movement is a crucial and essential factor given the conflict solving nature of these elections. Article 8 of the Election Rules and Regulations states: "Every effort will be made by OSCE and the other international organizations concerned to facilitate the return of citizens to the municipality where they were registered in 1991 to vote in person."

19. On election day, despite elaborate planning, article 8 was not followed in practice. The climate had not been established in which these voters could cross the Inter-Entity Boundary Line (IEBL) without fear of intimidation or their personal safety. It was decided that the safety of voters crossing the IEBL could only be ensured by their travelling in buses along 19 designated routes regularly patrolled by security forces. Voters choosing not to ride in these buses were informed that their safety could not be guaranteed.

20. Only a limited number of voters crossed the IEBL on the day. The question must be raised as to why this was the case. While it is difficult to establish the exact reasons, the primary factor appears to have been an increase in the fear of voters since they took the decision to vote in this way (rather than as absentee voters) when registering in July. Other possible factors could include a lessening of interest after the postponement of the municipal elections, lack of information about the transportation arrangements and the realization that voters would not be allowed to visit the homes in which they resided before the conflict. The small number of voters who crossed the IEBL is an indicator that the Dayton principle of freedom of movement has not been met, and thus points to a disintegrative trend.

III. ISSUES PRIOR TO POLLING DAY

A. *Out-of-country voting*

21. The out-of-country voting required significant logistical preparations, which were not assisted by the various delays in their commencement. The out-of-country voting was observed in 23 countries by 65 observers.

22. This effort was coordinated by Michael Meadowcroft. His report to the CIM shows that there were some problems, the most significant of which were the issue of wrong ballots, confusion surrounding Form II and the postponement of municipal voting, lack of information on the balloting process and about the candidates and competing parties, postal delays and errors in the packing and delivery of envelopes.

23. These problems were particularly evident in the Federal Republic of Yugoslavia. However, despite these problems, the overall conclusion of the observers is that the out-of-country voting worked reasonably well and was free of any significant manipulation.

B. *The campaign*

24. The observation findings during the campaign reflect an inconsistent and geographically divergent picture of the environment in which the campaign and political debate have taken place. In some areas events took place that seriously impeded the right to campaign: examples of employment-related intimidation, organized violence towards party activists and disruption of party meetings were all substantiated. In other areas, a meaningful campaign took place in which parties were able to convey their message to the electorate in a relatively peaceful environment, particularly in the last two weeks of the campaign. In most areas, considerable improvements became evident in the run-up to the elections. In particular, rallies took place in a more open atmosphere.

25. The CIM was very concerned that the theme of the election campaign on the part of some parties and candidates ran contrary to the spirit of Dayton. The systematic delivery of secessionist messages during the

campaign in the Republika Srpska was one of the strongest elements of the campaign of the Serbian Democratic Party (SDS), and of other parties in the Republika Srpska, during the pre-electoral period. In fact, these statements form a heavy mortgage on the functioning of the governing structures of Bosnia and Herzegovina and may therefore threaten the constitutional arrangements in Dayton and the spirit of 7.9 of the Copenhagen commitments. The Election Appeals Subcommission has reviewed several cases, including SDS statements during the election campaign.

26. It is clear that the participation of certain parties throughout the campaign, especially the SDS, has not been made in the spirit of Dayton. The CIM requests the Head of the OSCE Mission, as Chairman of the Provisional Election Commission (PEC), to verify before certification that all necessary (legal) steps have been taken to ensure that the sovereignty and territorial integrity of Bosnia and Herzegovina is upheld.

27. The CIM is concerned that essentially separate campaigns with very different messages and debates took place in the two entities. Although the amount of active campaigning that took place across the IEBL was very limited, those parties which did campaign across the Line for a multi-ethnic, open and democratic society deserve our admiration.

C. *The media*

28. The OSCE Copenhagen commitments call for unimpeded access to the media on a non-discriminatory basis. A democratic election process is founded upon the electorate being able to make informed choices.

29. The media should be evaluated by its degree of independence in informing the electorate about the candidates and the issues. Concern arises from the fact that the official media was influenced by the existing power structures. This problem was most serious in the Republika Srpska and the Croat-controlled parts of the Federation. The existence of independent networks in some areas allowed to some extent for an alternative to the official, authority-influenced media.

30. As a result of obstruction on the part of authorities, TVIN did not have a significant impact on the campaign: it only went on the air one week before polling day. However, Free Elections Radio Network (FERN) sponsored by the Government of Switzerland did contribute to the campaign debate after initial difficulties with broadcasting in Republika Srpska.

31. Despite serious concerns regarding access to the media, television and radio became somewhat more accessible to parties and independent candidates during the latter stages of the campaign. However, the establishment of an independent regulatory body, with the ability to impose sanctions, is of crucial importance for future elections to be meaningful.

IV. COUNT AND APPEALS PROCESS

32. The CIM continues to monitor the counting process and the hearing of all complaints and appeals, which are both essential and integral parts of the complete election process. The CIM will elaborate on his observations in his final report.

V. CONCLUSION

33. This is a preliminary report. It indicates that the elections technically went well, subject to the satisfactory completion of the count and the appeals process. However, the general climate in which the elections took place was in some cases below the minimum standards of the OSCE Copenhagen commitments.

34. The CIM believes that these elections are at best a first step out of the period of deep and violent conflict towards the aspiration of a democratic future for Bosnia and Herzegovina. The process of establishing freedom and democracy in Bosnia and Herzegovina, and political institutions that can uphold these principles, will be a long and arduous process. Nonetheless, a large number of citizens of Bosnia and Herzegovina turned out on 14 September to cast a ballot for their future, and many did so under very difficult circumstances.

35. Even in the context of a conflict-resolution election, the CIM notes his concern that significant elements of the climate of the pre-election period may point towards disintegration and an unsatisfactory resolution of the conflict. The problems associated with the campaign, freedom of movement and other issues referred to above should not be understated. But given these shortcomings, there was no pattern of recurring infractions or organizational incompetence that seriously compromised election day.

36. The CIM emphasizes that these elections, although characterized by imperfections, took place in such a way that they provide a first and cautious step for the democratic functioning of the governing structures of Bosnia and Herzegovina. A true and continuing commitment to the democratic process will need to be made in order for Bosnia and Herzegovina to face the difficult times and decisions that still lie ahead.

37. It is the view of the CIM that the international community, having started its support for this process, should face up to the longer-term responsibility of helping to see it through. In this context, the CIM would like to draw attention to OSCE commitment 7.9, which requires that candidates who obtain the necessary number of votes required by law are duly installed in office.

38. The CIM anticipates that this statement will be fully considered before the municipal elections take place. Until the problems affecting the integrity of the elections have been addressed and solved, these elections should not be held.

39. In conclusion, the CIM expresses his strong hope that the democratic institutions elected on 14 September will take root and grow, and that the next elections in two years' time will take place under much more favourable conditions.

ENCLOSURE

Document of the Second Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, Copenhagen, 1990

Paragraphs 7 and 8 read as follows:

"7. To ensure that the will of the people serves as the basis of the authority of government, the participating States will:

"(*a*) Hold free elections at reasonable intervals, as established by law;

"(*b*) Permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote;

"(*c*) Guarantee universal and equal suffrage to adult citizens;

"(*d*) Ensure that votes are cast by secret ballot or by equivalent free voting procedure and that they are counted and reported honestly with the official results made public;

"(*e*) Respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination;

"(*f*) Respect the right of individuals and groups to establish, in full freedom, their own political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities;

"(*g*) Ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution;

"(*h*) Provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process;

"(*i*) Ensure that candidates who obtain the necessary number of votes required by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.

"8. The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other of the Conference on Security and Cooperation in Europe participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings."

ATTACHMENT II

Second statement dated 24 September 1996 by the Coordinator for International Monitoring on the elections in Bosnia and Herzegovina

1. It was indicated in the preliminary statement issued by the Coordinator for International Monitoring (CIM) on 16 September that the election day went technically well, but that the general climate in which the elections took place was in some cases below the minimum standards of the OSCE Copenhagen Commitments. The problems associated with registration, the media, the campaign, and freedom of movement were assessed as serious shortcomings to the overall process, though there was no pattern of recurring infractions or organizational incompetence that seriously compromised election day. The CIM emphasized that the elections, although characterized by imperfections, took place in such a way that they provide a first and cautious step for the democratic functioning of the governing structures of Bosnia and Herzegovina. In this context, however, the report drew special attention to the functioning of the common institutions and the need to ensure before certification the strict adherence to the constitutional arrangements agreed in Dayton and the spirit of 7.9 of the Copenhagen Commitments, requiring that candidates who obtain the necessary number of votes required by law are duly installed in office, and are permitted to remain in office until their term expires.

2. This second statement of the CIM is based on further analysis of more than 4,000 forms and reports on election day, handed in by the long- and short-term observers, and the preliminary observations of approximately 60 observers covering the counting and appeals process, which are both essential and integral parts of the complete election cycle.

3. The analysis confirms and substantiates the basis for all the preliminary conclusions, made in the statement of the CIM on 16 September.

4. The CIM holds that the complex counting process is characterized by slowness, confusion, imperfections and serious problems in some individual cases. At this stage, the CIM's view is that these imperfections and irregularities are not of sufficient magnitude to affect the overall outcome of the elections.

5. The CIM wishes to elaborate upon his preliminary statement, make some preliminary observations of the counting and appeals process, and formulate some recommendations for the municipal elections.

I. ELECTION DAY

6. On the basis of all observation forms received from nearly all *opstinas*, the figure of 97 per cent of polling stations where the voting process was conducted properly, is confirmed. The evaluation and conclusions of the CIM for election day are therefore substantiated on the basis of a more representative sample.

7. The over 4,000 reports confirm that there were significant difficulties with the voters' list and an insufficient number of absentee polling stations. Displaced persons and refugees in particular were confronted with the problems reported on election day.

8. This can be illustrated with the following observations. The insufficient number of absentee polling stations caused in some areas long queues, confusion and additional crowd control problems. Voters crossing the Inter-Entity Boundary Line (IEBL) in buses did not have access to the local election committees and could not resolve the difficulties with the final voters' lists. The Electoral Appeals Subcommission concludes that, although these violations were not of a scale to affect the results of any of the 14 September elections, they would, it repeated, very likely affect the municipal elections.

9. The CIM therefore recommends that these deficiencies be remedied before the municipal elections as a matter of urgency.

10. The CIM also reiterates his observation that Article 8 of the Provisional Election Commission (PEC) Rules and Regulations was not followed in practice.[a] Observers confirmed the extremely limited number of voters crossing the IEBL, which cast a shadow over a voting day without major incidents.

11. In preparation of the municipal elections all necessary efforts will have to be made by the authorities, OSCE and the other international organizations concerned to facilitate the return of citizens to the municipality where they were registered in 1991 to vote in person. This includes adequate international presence and security guarantees, and the generation of a climate in which the voters can cross the IEBL without fear of intimidation of their personal safety. Only under these circumstances can the municipal elections be held successfully.

12. The preliminary statement of the CIM referred to some possible reasons for the lack of movement across the IEBL on election day. The CIM concludes that whatever the motivations might have been, the Dayton principle of freedom of movement was only met to a limited degree.

II. THE COUNTING PROCESS

13. The counting process was observed by approximately 60 observers and long-term staff members. The observers report that the counting process was carried out properly in the majority of counting centres, where procedures were followed in a secure manner, and figures for results were recorded accurately. These positive observations are in part overshadowed by reports of several problems and serious irregularities in some counting centres.

14. The CIM is concerned with the decision to publicly announce provisional results at an early moment. This seemed more inspired by extra-electoral reasons than by the respect for proper procedures. Moreover, the reconciliation process is characterized by delays and confusion, and this easily jeopardizes the public credibility of the counting process.

15. Observers have reported a substantial number of minor problems, related to the slowness of the counting process (especially in the Republika Srpska, owing to counting interruption on Sunday) and confusion in the warehouse (especially in the earlier stages) and the tabulation centre.

16. A relatively limited number of reports indicated that sufficient security arrangements were lacking and that some counting centre staff were not adequately trained.

17. Serious violations were reported in a number of cases. In Velika Kladusa, Mrkonjic Grad and Kotor Vares ballots cast for opposition parties were spoiled. Violations in a polling station in Kozluk and in one of the military voting stations were so severe that the Election Appeals Subcommission (EASC) recommend that the results from these polling stations be annulled. Such cases illustrate the lack of democratic spirit in some parts of the country.

18. The CIM is concerned with the serious nature of these irregularities and the relatively high number of invalid ballots. While it is difficult to establish all the exact reasons, lack of voter education, political motivations (especially of those who voted across the IEBL), and sometimes deliberate spoiling of valid ballots seem to have played a role.

19. The CIM also remains concerned with a potential counting problem related to the voting register. In his first statement, the CIM referred to the urgent need for the establishment of a thoroughly revised and current voter register, which instils the necessary confidence that all qualified vot-

ers could vote once and only once. The theoretical possibility of double voting by refugees could have had consequences for the integrity of the count especially in lower-level elections if specific cases can be substantiated. No reports of this type of irregularity were reported to the CIM. However, the CIM is not in a position to exclude the possibility of double voting completely. The CIM recognizes the decision on this matter by the EASC.

20. The CIM reiterates his recommendation for a revised voter register in order to exclude any suspicion of double voting in the future.

III. The appeals process

21. A considerable amount of count-related complaints and appeals are adjudicated by the EASC.

22. The CIM has reviewed the count-related appeals to the EASC and overall supports the judgements made. The CIM underlines the importance of the rulings on the freedom of movement and the double voting issues as already referred to, and stresses the need to respect the important implications of the rulings for the timing of the municipal elections.

23. Before election day, the EASC issued 54 decisions, of which 2 were interim judgements, and 7 advisory opinions. Sixty-four per cent of the submitted complaints/appeals were dismissed/denied by the EASC. The number of cases related to the campaign was the largest, nine of which were related to violence. The number of registration-related cases was also substantial. The EASC rulings confirm the critical analysis by the CIM regarding these elements of the electoral process.

24. The CIM evaluates positively the transparent and relatively simple EASC procedures for lodging complaints, and recommends greater emphasis on voter education regarding these procedures for the municipal elections.

25. The CIM considers that the appeals mechanism to be installed for future elections in Bosnia and Herzegovina could gain further credibility by strengthening its activities in terms of scope and effectiveness in ensuring the respect of electoral rules and regulations and by ensuring a larger degree of autonomy from other bodies responsible for the organization of the elections, including the election commission.

IV. Observation of results

26. The CIM evaluated the context of these elections critically in his first statement. Fear and need for security were the driving factors in the pre-electoral period. The people of Bosnia and Herzegovina have thus far had limited opportunities to think and act freely and differently, to travel and associate without fear, to hear and reflect upon different points of view.

27. The democratic nature of multi-party elections is related to the extent to which a multitude of viewpoints is expressed in the newly elected bodies. Pluralism is the essence of democracy. The amount of pluralism during the electoral cycle was less than could be expected under a system of proportional representation. Pluralism includes a serious role for opposition parties, which may never be marginalized.

28. The further development of Bosnia and Herzegovina in terms of conflict resolution and democracy building will have to ensure that the very thin space available at present for tolerance of all viewpoints is widened and extended to all governing bodies of Bosnia and Herzegovina.

V. Constitutional arrangements agreed in Dayton and Copenhagen Commitment 7.9

29. The CIM reiterates his concern that the conduct of certain parties, particularly the Serbian Democratic Party (SDS), throughout the campaign, has not been made in the spirit of Dayton.

30. The two entities of Bosnia and Herzegovina are bound by the constitutional arrangements agreed to in Dayton. These arrangements include the sovereignty and territorial integrity of Bosnia and Herzegovina. However, the bodies to be elected from the Republika Srpska are also functioning in the framework of the Constitution of the Republika Srpska. In the political campaign context described above, and taking into account the arduous process of adaptation of the Republika Srpska Constitution, certification of the elections and instalment office of elected persons (Copenhagen commitment 7.9) can logically only take place if the Constitution of the Republika Srpska is adapted. This adaptation should correspond to all the clauses related to the respect for the sovereignty and territorial integrity of Bosnia and Herzegovina agreed to in Dayton. The preparation of the aftermath of the elections is a prerequisite for the successful outcome of the elections itself and thus requires much more attention, as is illustrated by the recent problems regarding the preparation of the meeting of the three members of the Presidency of Bosnia and Herzegovina.

31. In that context, the CIM reiterates his request to the Head of the OSCE Mission, as Chairman of the PEC, to address this issue before certification.

VI. Municipal elections

32. The CIM underlines that elections do not involve only one day and are not held for their own sake. They are part of a long-term process, which aims at reconciliation and a democratic society as stipulated in the Dayton Peace Agreement. In order to achieve those goals, the elections must be perceived by the people of Bosnia and Herzegovina as part of a wider process of genuine democratic change, involving rule of law and the construction of civil society.

33. The municipal elections will be the next test. The date of these elections should be dependent on the fulfilment of the basic technical and political criteria and conditions, mentioned in the different statements of the CIM, laid out in the Dayton Agreement and specified in the decision of the PEC to postpone the municipal elections. A good preparation cannot and should not happen overnight. The necessary conditions cannot be met in this calendar year.

34. All long-term observers of the office of the CIM, without exception, have reported that the situation on the ground does not allow for municipal elections to be held in November.

35. The CIM has already underlined the need for a thorough and structural re-evaluation of the registration process. Furthermore, it is essential that an updated voters' list is produced, and a climate is generated in which the voters feel confident and secure to cross the IEBL. This requires a commitment from all the political actors in Bosnia and Herzegovina, as well as maximum security guarantees and presence of the international community for a substantial time to come.

36. At this stage, no clarity exists as to the Copenhagen commitment 7.9 with regard to the municipal elections. The CIM considers it not acceptable that municipal elections are organized under these circumstances in which neither de facto nor *de jure* instalment of elected representatives in office can be assured.

37. Municipal elections should be preceded by a comprehensive and independent voter education programme, covering both urban and rural areas and informing the electorate of their political rights and explaining the election procedures. Furthermore, it is essential that lessons learned from the experience of the Mostar and 14 September elections are taken into account.

38. The elements mentioned above must be taken into account in order for the upcoming municipal elections to be a positive step in the political and democratic development of Bosnia and Herzegovina.

Note

[a] Article 8. Every effort will be made by OSCE and the other organizations concerned to facilitate the return of citizens to the municipality where they were registered in 1991 to vote in person.

DOCUMENT S/1996/816

Letter dated 27 September 1996 from the Secretary-General to the President of the Security Council

[Original: English]
[1 October 1996]

I have the honour to refer to resolution 1053 (1996) of 23 April 1996, by which the Security Council requested me to maintain the International Commission of Inquiry (Rwanda) and to submit a report on its activities by 1 October 1996. As members of the Council are aware, the Commission has been investigating reports of arms flows to the former Rwandan government forces and allegations that those forces are receiving military training in order to destabilize Rwanda, in violation of the relevant Security Council resolutions.

Following the adoption of resolution 1053 (1996), I approached the Governments of Rwanda, Uganda, the United Republic of Tanzania and Zaire to ascertain their readiness to receive the International Commission of Inquiry. On the basis of these approaches, and in consultation with the Chairman of the Commission, it was then decided to reconvene the Commission, which returned to its administrative base at Nairobi on 12 July. After resuming its contacts with government and other sources of information in Kenya, the Commission proceeded to Rwanda from 24 to 29 July, where it met with the Vice-President and other senior officials of the Government and armed forces.

From 11 to 17 August, the Commission visited the United Republic of Tanzania and met with the Prime Minister and other senior government officials. The Commission was also authorized to visit Rwandan refugee camps in Tanzania from 28 to 30 August. The Chairman and two members of the Commission subsequently visited South Africa from 1 to 7 September, where they met with the Minister for Foreign Affairs and other officials with information relevant to the Commission's inquiries. During the week of 16 September, the Commission visited Uganda, where it met with two Deputy Prime Ministers and other senior officials.

In pursuing the lines of inquiry that it has opened, the Commission has also contacted several other Governments, as well as the Security Council Committee established pursuant to resolution 918 (1994), the International Tribunal for Rwanda, Amnesty International and Human Rights Watch. In particular, the Commission has been inquiring into fresh allegations that the former Rwandan government forces and the *Interahamwe* militia are continuing to receive military training in order to destabilize Rwanda and that they are expanding and diversifying their methods of fund raising to buy arms for use against Rwanda.

The Commission has received a large volume of information and detailed allegations from many sources, including government officials. The Commission is currently reviewing and analysing this data, while awaiting replies from the Governments it has contacted with specific questions concerning apparent breaches of the arms embargo. The Chairman of the Commission has therefore asked me for additional time in which to complete this work and prepare a report on the outcome and conclusions of his current investigations.

Accordingly, I intend, subject to the Council's concurrence, to request the Commission to submit to me a comprehensive report on its activities by 31 October 1996, which I will then make available to the Security Council.

I should be grateful if you would bring the above to the attention of the members of the Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/820

Report of the Secretary-General pursuant to Security Council resolution 1035 (1995)

[Original: English]
[1 October 1996]

I. INTRODUCTION

1. The present progress report, submitted pursuant to Security Council resolution 1035 (1995) of 21 December 1995, summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my last report of 21 June 1996 [*S/1996/460*]. It also provides a description of the United Nations role in the elections held in Bosnia and Herzegovina on 14 September 1996.

II. ELECTIONS

2. Elections for the Presidency of Bosnia and Herzegovina and higher-level bodies were held as scheduled on 14 September 1996, under the supervision of the Organization for Security and Cooperation in Europe (OSCE). On 29 September, the Provisional Election Commission officially certified the results of the elections as specified in the Dayton Agreement [*S/1995/1021*]. Candidates of the ruling

parties in the entities, Alija Izetbegovic, Momcilo Krajisnik and Kresimir Zubak, were the winners in presidential polls. Mr. Izetbegovic won the largest number of votes and will chair the Bosnian Presidency.

3. According to figures compiled jointly by the United Nations International Police Task Force (IPTF) and the Implementation Force (IFOR), approximately 20,000 voters crossed in buses and private vehicles from Bosniac-controlled areas of the Federation to the Republika Srpska. Bosniac voters casting their ballots in the Republika Srpska were directed by the local police to predesignated polling places, usually some distance from places at which Serbs were voting. Approximately 1,200 voters crossed into the Federation from the Republika Srpska and an estimated 25,000 to 30,000 voters from the Federal Republic of Yugoslavia crossed the international border to vote in the Republika Srpska.

4. The number of people crossing the Inter-Entity Boundary Line (IEBL) on election day turned out to be far lower than expected. This can be attributed at least in part to the postponement of the municipal elections by OSCE, which meant that there was less reason for Bosniacs from the Federation to cross the IEBL into the Republika Srpska to vote. As a result, security problems during the election process were fewer than had been feared.

5. In preparation for the elections, IPTF chaired a series of meetings between the Ministers for Internal Affairs of the two entities, the Office of the High Representative, IFOR and OSCE, culminating in an agreement on election security. Nineteen secure voter routes were established for individuals travelling between the two entities on election day. Plans for transportation by bus, search procedures and additional polling locations were also established. Both Ministers acknowledged that security was the responsibility of the local police and agreed that no individuals would be arrested on war crimes charges unless indicted by the International Tribunal for the Former Yugoslavia. Finally, election planning and training teams met with police at the regional and municipal level to provide human rights training and assistance with election security planning.

6. A total of 1,692 IPTF monitors and large numbers of IFOR troops supervised the movement of voters around the country in a closely coordinated security operation. Most of those crossing the IEBL did so using the recommended voter routes. However, the IEBL remained unrestricted and open to crossings at other points by individual vehicles. Thus freedom of movement was assured on election day. No major incidents or casualties were reported and voting generally proceeded in an orderly fashion. There were only two confirmed cases in which buses were stoned — one carrying Bosniacs in eastern Bosnia by Serbs and the other carrying Bosniacs in Herzegovina, presumably by Croats. However, IPTF reported that, in general, the entities' security forces acted in accordance with the guidance from IPTF and with the agreement concluded by the two Ministers.

7. The electoral campaign was marked by certain abuses of the law enforcement structures by the three ruling parties. In Serb and Croat areas, Bosniacs who tried to campaign were prevented from doing so, opposition parties were harassed, sometimes violently, and their supporters openly intimidated by local authorities and by the cadres of the ruling parties. In Bosniac areas harassment of political opponents by supporters of the ruling Bosniac party, the Party of Democratic Action (SDA), was reported on various occasions.

III. ACTIVITIES OF THE MISSION

International Police Task Force

8. As at 13 September 1996, a total of 1,697 IPTF monitors from 34 countries were deployed in 53 operational stations. Levels of cooperation between the police forces of the entities and IPTF vary significantly. At the ministerial level, cooperation has increased with the Ministers for Internal Affairs having agreed to exchange information on those detained and arrested. With the cooperation of the Ministers, IPTF has pressed for, and obtained, the removal or transfer of several key police executives from their positions because of non-compliance. These officers include, among others, the Chief and Deputy Chief of West Mostar, the Chief of Ilidza and the Chief of Bugojno. Cooperation at the local level also varies greatly by municipality. The recent situation in Zvornik, in which local police did not protect IPTF from an angry mob reacting to the IFOR detention of other Serb police in Mahala, underlines the vulnerability of IPTF monitors in the field.

9. Progress has been made with regard to police restructuring in the Federation. The police officer selection programme is under way and testing and screening of all Federation police candidates will be completed by November 1996. In August, 25 senior Federation police executives attended an IPTF leadership training programme in Germany. In the Republika Srpska, police authorities have adopted the principles and standards of democratic policing. Detailed negotiations with the Republika Srpska authorities on plans for the vetting and training of its police officers will be held immediately after the elections. Specific proposals for police assistance projects were submitted to a donors' conference held in Dublin on 28 September 1996.

10. IPTF is conducting an assessment of the overall criminal justice system in Bosnia and Herzegovina, including courts and prosecution offices, in order to avoid duplication of effort among independent international agencies. As a first step, a meeting of all the international agencies involved in the review of the legal system, chaired by IPTF on 6 September 1996, was attended by over 25 participants. IPTF will complete its assessment in late October, following which a commissioner's guidance on the criminal justice system will be prepared.

Civil Affairs

11. Civil Affairs officers have continued with their three main tasks: providing support to IPTF; reporting on and analysing local events and trends in political activity and human rights; and making available good offices for local confidence-building and problem-solving.

12. The information provided by Civil Affairs to IPTF regional, district and station commanders has greatly assisted the international police in their understanding of local political dynamics and in establishing working relationships with key actors in the areas under their jurisdiction. IPTF commanders and Civil Affairs officers have often worked together to address potentially explosive situations at the local level, and have thereby been able to reduce the level of tension and the potential for violence. They have also co-operated with other international actors to address human rights issues that might have broader political repercussions and to explore with them ways of better pursuing such cases at a higher level with the competent authorities.

13. The detailed reporting on local political developments provided by Civil Affairs officers has enabled UNMIBH to make a valuable contribution to discussions at national and regional levels on key issues relating to the implementation of the Dayton Agreement. This information, together with reports from IPTF, has also been made available to other international actors at their request, including the Office of the High Representative, IFOR and OSCE. Civil Affairs officers have regularly briefed international visitors to their areas.

14. On several occasions, Civil Affairs officers have made use of their contacts to facilitate meetings between members of different communities and to assist community leaders to travel across the IEBL. They also act as focal points for the dissemination of information to local authorities on the programmes and activities of international organizations working in the country. In coordination with the Office of the High Representative, Civil Affairs officers have also made available their good offices to facilitate the establishment of local governing bodies on the Federation side.

Mine Action Centre

15. The United Nations Mine Action Centre (UNMAC) is now fully operational. The international staff consist of seven United Nations staff members and two experts on loan from a donor Government. By 30 September 1996, UNMAC will have three regional offices in Mostar, Banja Luka and Tuzla. An additional office in Bihac is planned.

16. While the overall goal of the UNMAC programme remains the elimination of the risks posed to the civilian population by mines and unexploded ordnance, the immediate goal is to develop the capacity to address priority tasks, so that refugees and displaced persons can return to their homes and reconstruction projects can be rapidly implemented. To achieve those goals, a mine-action plan has been prepared for discussion with the Government of Bosnia and Herzegovina and interested donors. Some elements of the plan have already been initiated within the programmes of donors (the European Commission, the United States of America and the World Bank) and non-governmental organizations (Norwegian People's Aid). Several of these programmes have, however, been delayed by negotiations with the Government over project agreements and exemptions from taxation. With the imminent arrival of winter, a major effort is under way to carry out numerous essential small mine-clearance tasks in support of humanitarian activities. Planning is in progress to relocate mine-clearance capabilities to areas unaffected by winter conditions.

17. Detailed plans are being developed for the establishment of a national mine-clearance training capacity and an employment mechanism to make available between 1,500 and 2,000 deminers by April 1997 in support of efforts to meet the humanitarian and reconstruction needs of the country. A national management training programme aimed at assisting the Government to take over full responsibility for the programme will be implemented simultaneously. UNMAC is continuing to take the lead role in coordinating the mine-clearance programme, facilitating the implementation of activities and encouraging the Government and donors to work together towards a unified mine-clearance programme.

Coordination of United Nations assistance activities

18. In his capacity as United Nations Coordinator in Bosnia and Herzegovina, my Special Representative has convened regular inter-agency meetings to develop common approaches to issues within the United Nations system.

Trust Fund Unit

19. As noted in paragraph 6 of my previous report, the trust fund inherited from the Office of the Special Coordinator for Sarajevo and transferred to my Special Representative has been continuing to fund various quick-impact projects in Sarajevo. Currently, out of a total of US $18.9 million pledged since the inception of the Office in 1994, approximately $3 million remain uncommitted in the fund, with further funds to be made available by donors when disbursement of the current funds is complete.

IV. OTHER ACTIVITIES OF THE UNITED NATIONS SYSTEM

United Nations High Commissioner for Human Rights

20. The United Nations High Commissioner for Human Rights provided substantive and technical support for two missions of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia and for the issuing of her subsequent reports. The Special Rapporteur has made a number of statements and recommendations, and together with the Expert on Missing Persons initiated a humanitarian project for the removal of mortal remains from the Srebrenica area. The project was only partially successful, however, owing mainly to obstacles created by the Republika Srpska authorities.

21. The High Commissioner for Human Rights works closely with the Office of the High Representative, to which he has assigned two officers. Training courses were also organized for the OSCE human rights monitors, and assistance was given to the secretariat of the Election Appeals Subcommission of the Provisional Electoral Commission.

United Nations High Commissioner for Refugees

22. The Office of the United Nations High Commissioner for Refugees (UNHCR) continued its efforts to implement annex 7 of the Dayton Agreement. Although lack of security, restricted freedom of movement and destruction continued to delay large-scale returns during the period, there was an important increase in returns. UNHCR estimated that since the beginning of 1996 220,000 to 240,000 people had returned to their homes. Of these, some 30,000 returned in movements organized by UNHCR, but the great majority did so spontaneously. Return so far has been limited almost exclusively to areas where the returnees' own ethnic group is at present a majority.

23. UNHCR's direct aid for returnees focused on the repair of some 20,000 homes (15,000 in the Federation and 5,000 in the Republika Srpska). In June, UNHCR launched its "target areas" initiative. Twenty-three priority return areas were identified, where inadequate infrastructure, rather than security and political constraints, was the major obstacle. UNHCR has been mobilizing bilateral and multilateral donors to carry out quick, key rehabilitation work relating to shelter, schools, water, demining and so on in these areas.

24. Donor response to this approach has been positive, with over $50 million committed. Laying the foundation for return to minority areas, UNHCR also chaired working groups at different levels where the parties regularly come together to discuss issues related to return. It has also continued to facilitate visits by displaced persons to their home areas and has established nine bus lines enabling displaced persons to travel across the IEBL to their original homes.

25. Whether returns to minority areas will eventually materialize will depend on the political will of the parties, who have committed themselves to the undertakings contained in annex 7. Developments so far have been discouraging, with UNHCR facing numerous obstacles. Through their actions and statements, political leaders have continued to express their lack of readiness for the return of minority groups. Should they maintain their separatist policies, the prospects for return will become increasingly bleak.

World Bank

26. The World Bank's mission in Bosnia and Herzegovina continues to support the economic reconstruction of the country through implementation of the reconstruction programme approved by the international community at the Brussels conference in December 1995.

27. A total of $325 million in World Bank funds has been mobilized in 13 specific projects to date. In addition a fund of $120 million is being managed by the Bank for co-financing these projects. The value of the projects prepared by the World Bank, now in implementation phase, is about $1 billion. As of mid-September, contracts signed using World Bank-administered funds totalled 640, for a value of $130 million.

28. The World Bank has made a major effort to help coordinate the work of donors participating in the reconstruction programme. Particular support has been provided to UNHCR for their priority refugee return programme. The World Bank has been able to mobilize substantial resources to rebuild houses in the UNHCR target zones and to implement job-creation programmes and other schemes for infrastructure development.

Other agencies

29. The International Labour Organization (ILO) Support Unit is cooperating with the Government in promoting emergency employment programmes for war-affected groups and the unemployed.

30. The United Nations Development Programme (UNDP) has now become operational in Bosnia and Herzegovina. It is providing support to local authorities in community development projects, supporting emergency rehabilitation programmes and assisting the Government in elaborating an economic and social transition strategy.

31. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has been working on several projects involving the repair and reconstruction of cultural and educational institutions, as well as various educational activities with other donors. UNESCO has also funded independent media outlets and given financial support to cultural activities.

32. The United Nations Children's Fund (UNICEF) continued its activities in health, education and psychosocial rehabilitation as well as water and sanitation programmes, which are directed at capacity-building and the development of sectoral structures. UNICEF cooperated with other United Nations agencies to create contingency plans for possible emergency areas throughout the country.

33. The United Nations Office for Project Services (UNOPS) is collaborating with UNDP in an integrated area development programme aimed at strengthening civil society and governmental institutions at the cantonal and municipal levels.

34. During the reporting period, the World Food Programme (WFP) has increasingly taken over responsibility from UNHCR for the programming and management of food aid donated to Bosnia and Herzegovina through WFP. To better manage this task, WFP has strengthened its presence on the ground. In the current post-war situation, it is working with its counterparts to verify beneficiary numbers and re-categorize its caseload. It has been increasingly able to transport food aid by commercial transporters, thus providing vital support for this industry as well as saving transport costs. In August a further 37,000 tons of wheat grain arrived for onward processing and distribution from six mills in the country. As a result 500 jobs were created.

35. The World Health Organization (WHO) continued to provided humanitarian assistance while addressing the need to rehabilitate the health sector and ultimately to re-

duce the requirement for relief aid. WHO has focused on five core functions: coordination of the health sector; public health monitoring; mental health and psychosocial rehabilitation; physical rehabilitation; and health care reform and reconstruction.

V. Observations

36. The authorities and people of Bosnia and Herzegovina should be commended for the peaceful and orderly conditions under which the elections were held on 14 September. OSCE and IFOR are also to be commended for their important roles. I am gratified that IPTF made a major contribution to ensuring security on election day.

37. The elections mark the initiation of a new phase in the effort to restore stability and normal conditions to Bosnia and Herzegovina through the establishment of governing institutions on a democratic basis. The political leadership now has the opportunity to ensure that, in particular through the functioning of common institutions at the national level, all three communities can work towards the consolidation of a sovereign and united Bosnia and Herzegovina based on the rule of law, respect for the human rights of all peoples and the development of a representative democracy.

38. The post-electoral period will be the most crucial phase of implementation of the Dayton Agreement. I am concerned by some recent developments. The outcome of the elections must not be allowed to strengthen separatist tendencies, reinforce the results of "ethnic cleansing" or confirm the division of Bosnia and Herzegovina along the Inter-Entity Boundary Line. The efforts of the international community must be directed towards encouraging the parties to build common political institutions that will work for the benefit of all.

39. The initial phase of the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") [*S/1995/999*]. was envisaged as lasting one year. As we approach the end of that period, there is a growing consensus on the need for a continued international presence to consolidate the gains achieved so far. It will be imperative to institutionalize coordination among the various organizations charged with implementing essential functions. In this regard consideration should be given to strengthening certain aspects of the civilian mandate. I should also like to reiterate my firm conviction that the continued presence of United Nations civilian police monitors is contingent upon the existence of a secure environment maintained by a credible international military force [*see S/1995/1031, para. 29*].

40. In the coming period the international community must rise to the challenge of working to reconstruct Bosnia and Herzegovina in a manner that promotes healing and mutual cooperation as well as rebuilding. One of the major tasks that in my view will need to be addressed by a continuing international presence is the protection of human rights and the promotion of international human rights standards among the various authorities in Bosnia and Herzegovina. A principal objective would be the establishment of strong national institutions to protect human rights, especially those of minority populations. This task should be assigned to one lead organization and be supported by others within their spheres of responsibility. If the Security Council decides in due course to extend the mandate of IPTF, consideration should be given as to how it might contribute to this function in cooperation with the High Commissioner for Human Rights.

41. Another important task will be to continue to ensure that those who wish to return to their former homes may do so under secure and dignified conditions. To date, almost none of the 1.5 million displaced persons and refugees whose homes are now under the control of the authorities of a different group have returned to them. Increasingly, contrary to the letter and spirit of the Dayton Agreement, the IEBL has acquired the status of a de facto border for people and goods.

42. The goal of the Peace Agreement has been commonly understood by the international community as being to restore peace and stability to Bosnia and Herzegovina as a sovereign, unified country composed of two entities with unprecedented autonomy, united through common governing institutions resulting from free and fair elections. It is my hope that with the creation of common institutions, elected authorities at the national and entity levels will devote themselves to countering the negative developments of recent years by focusing on healing the divisions that led to untold suffering. It is clear that the international community can succeed in its efforts to attain that goal only to the extent that leaders at all levels are themselves committed to achieving it. As part of a larger international effort the United Nations stands ready to do whatever it can, within the mandate it is given and the resources made available to it, to help restore peace, harmony and prosperity in Bosnia and Herzegovina.

DOCUMENT S/1996/821

Report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium

[*Original: English*]
[*1 October 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 1037 (1996) of 15 January 1996, in which the Council requested the Secretary-General, on the completion of demilitarization of the region of Eastern Slavonia, Baranja and Western Sirmium (hereafter referred to as the region), to report monthly to the Council regarding the activities of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the implementation by the parties of the Basic Agreement of 12 November 1995 [*S/1995/951, annex*]. My most recent report on this matter was submitted to the Council on 28 August 1996 [*S/1996/705*].

II. POLITICAL ASPECTS

2. The normalization of relations between Croatia and the Federal Republic of Yugoslavia has allowed the process of political transition in the region to gain momentum. Various initiatives by UNTAES have sought to sustain progress in this regard. However, in conjunction with these positive steps towards reintegration, UNTAES is facing three related challenges: unwillingness to move forward on the part of some of the Serb leaders in the region, certain bureaucratic obstructions on the Croatian side and, as a consequence, a continued feeling of uncertainty among residents of the region.

3. Since its initial deployment in the region, UNTAES has performed the role of political intermediary between the local Serb authorities and the Croatian Government. By August, the reintegration process had entered a new political and administrative phase which required direct contact between the parties to resolve their outstanding differences and reduce mistrust and suspicion. The Transitional Administrator has accordingly initiated a series of direct contacts between them. While the commencement of such contacts, particularly on issues as important as the Amnesty Law, has highlighted differences between the two sides, the establishment of constructive and engaged dialogue is a positive development.

4. These meetings gave Serb representatives the opportunity to voice directly their concerns about the inadequacies of the previous Amnesty Law, and to offer comments on the draft of a revised Amnesty Law, which was subsequently amended before enactment on 20 September. The new Amnesty Law is a significant step forward and, if applied in a fair and equitable manner, should provide a positive basis for further steps towards reconciliation. Nevertheless, on the Serb side, attempts continue to be made to block practical progress in the Joint Implementation Committees and on individual projects until there is clear resolution of all outstanding matters, including the status and functions of the Serb community's joint Council of Municipalities; and the duration of the UNTAES mandate. This obstruction, by delaying the benefits of orderly integration and encouraging extremists on the other side who already point to cases of Serb intransigence, can only work to the detriment of Serbs in the region.

5. On the Croatian side, constructive and innovative initiatives by the office responsible for reintegration are being slowed down by various ministries in Zagreb. On 19 September, the Transitional Administrator met with the Croatian Prime Minister to draw his attention to some disturbing cases of inadequate cooperation, including undue delays in processing applications for Croatian citizenship and other documents. Despite the obstructionism of some Serb leaders in the region, there are many in the local population willing to cooperate with the transition process in the hope that their fears and uncertainties will be overcome during the course of the UNTAES mandate. In the document centres organized by UNTAES Civil Affairs and opened on 20 August in Beli Manastir, and now functioning also in Ilok, Vukovar, Batina and Lua, demand far exceeds processing capacity, with reports from some offices of queues of hundreds of applicants forming from the early morning hours. Approximately one third of the applicants have been Serbs, and this percentage is rising. According to figures compiled by UNTAES Civil Affairs, however, as of 30 September, out of more than 11,500 applications submitted for a variety of Croatian documents, only 2,768 documents had been received by the applicants, constituting only about one quarter of the applications.

6. The Transitional Administrator also raised the failure of the Croatian Government to honour in a timely fashion its commitments under the Agreement on Interim Co-financing of Public Services in the region, signed on 8 August 1996, to provide 4.5 million kuna per month for the financing of public services in the region. The monthly payment due on 10 September had not been received as of 1 October 1996. It will be recalled that, in its presidential statement of 15 August 1996, the Security Council noted with appreciation the conclusion of that Agreement between the Government of Croatia and UNTAES [*S/PRST/1996/35*].

7. The success of the market days, described in my previous report [*S/1996/705, para. 22*], is seen in the fact that they now draw 8,000 people each Saturday they are held. They are primarily opportunities for meetings of families and friends, and the ongoing programme of family reunions, in which over 13,000 people have participated, is evidence of a gradual improvement in individual relations between

substantial numbers of Serbs and Croats. However, at some Croatian official levels and particularly among displaced persons organizations, hostile rhetoric, nationalist propaganda and mass demonstrations are poisoning the atmosphere for reconciliation among people who, at the end of the transitional period, must live in the area as equal citizens of Croatia. While the impatience of displaced persons to return to their homes is understandable, the vociferous expression of that impatience and the unwillingness to take into account a realistic timetable for return is itself a source of local insecurity and an impediment to early return. In the course of public demonstrations, throughout September, various Croatian organizations have pressed both UNTAES and the Croatian Government to hold the elections in December 1996 and urged the early termination of the UNTAES mandate, despite the fact that the basic conditions for free and fair elections do not yet exist.

III. MILITARY ASPECTS

8. The military situation in the region has remained generally calm and stable. The UNTAES military presence continues to contribute to the maintenance of peace and security and to reassure the local population. In addition to their task of ensuring demilitarization, UNTAES military units have played an important role in the humanitarian sphere, including supervision of demining efforts, provision of medical treatment in certain cases and assistance in humanitarian relief and medical evacuations. Close air support training missions by the Implementation Force (IFOR) were successfully undertaken and scheduled training is to be doubled in October.

IV. CIVILIAN ASPECTS

9. In cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR), UNTAES Civil Affairs has been making steady progress in preparing for and facilitating the return of both Croat and Serb displaced persons to their homes. The first individual returns of Serbs have already taken place. Ten persons in three families have left the region to return to Western Slavonia. The number of such returns should increase in the coming weeks as progress is made on the issuance of documents. In the four pilot villages in the southern part of the region, demining of the village centres is completed and reconstruction is well under way. The first return of Croats to these communities should occur in the next several weeks. Demining of the more populous villages in the central and northern portions of the region has been delayed as the modalities of joint Croatian-Serb demining operations, funded entirely by the Government of Croatia, were being negotiated. These modalities have now been agreed and, barring any further obstacles or changes of position by either side, demining should be under way in all the pilot communities by the first week of October. Meanwhile, concerted efforts have been undertaken to prepare these communities—particularly Bilje, Ernestinovo and Antunovac—for the demining, reconstruction and return operations to come.

10. The Joint Implementation Committee (JIC) process has recently encountered problems in some key areas. While a breakthrough was achieved in the Joint Implementation Committee on Agriculture when Croatian financing was arranged for the autumn planting, and progress has continued more or less unabated on the restoration of public services and infrastructure, there has been no progress on the transition of school curricula and post-transition employment in the health field. In view of persistent difficulties, the Transitional Administrator decided on 16 September to replace the Joint Implementation Committee on Education with an independent body chaired by UNTAES and consisting of one expert from each side. In the public utilities subcommittees, Serb concerns about re-employment in public enterprises have emerged, despite the so far successful re-employment by INA at the Djelotovci oilfield of 65 Serbs, who have been paid Croatian salaries without incident for the past month. In addition, virtually all remaining joint implementation committees will be refocused on concrete reintegration timetables and activities. Separately, both sides have agreed to the establishment of a small senior executive group chaired by the Transitional Administrator which will meet weekly to accelerate progress in key areas.

Transitional Police Force

11. The operational effectiveness of the Transitional Police Force has shown steady improvement. Of the present strength of 1,337, 131 are Croats. An additional 70 Croats are undergoing training to join the Force. A new Transitional Police Force station has been established in Lipovac to provide confidence to returning Croat displaced persons and the Croatian Government has provided additional vehicles and other equipment to improve the ability of the Force to carry out its tasks. Cooperation between the local Serb and Croat co-commanders of the Force has continued to improve. However, some Serb members remain unwilling to participate actively in the apprehension of certain criminal elements and will not exercise their duties in relation to matters which have political implications in the region; this issue is being addressed at senior levels. The failure of the Croatian Government to provide funds from which to pay August salaries in a timely manner seriously undermined the morale and confidence that UNTAES has worked hard to engender. The salaries were eventually paid in the last week of September by using, in part, funds provided by the local Serb authorities.

Border monitoring

12. More efficient enforcement of the customs regime by the local customs authorities under the supervision of UNTAES border monitors at the eight international crossing points has seen an increase in regional revenue over the past three months from 1.6 million dinars (approximately $300,000) to 3.7 million dinars (approximately $740,000). The next step will be the introduction of Croatian laws and institutions into the international border regime. High-level

technical discussions between the Croatian ministries of Finance and of the Interior, UNTAES and the local Serb authorities are ongoing with a view to the establishment of a joint customs/immigration service commencing in November.

Public affairs

13. Negotiations have been successfully completed for the expansion of UNTAES radio programming on Radio Vukovar from the present one hour to three hours daily. A mobile distribution and information office established at the weekly UNTAES market has broadened public outreach to the population on both sides. The UNTAES public affairs unit organized a series of meetings at the level of editor-in-chief and directors between the local Serb radio and television media and their Croatian counterparts. The mission also organized regular briefings for the team from the International Tribunal for the Former Yugoslavia which is conducting exhumations at the mass grave at Ovcara, and provided guidance on their contacts with Croatian, local Serb and international media.

Mass graves

14. Staff engaged by the International Tribunal for the Former Yugoslavia and Physicians for Human Rights began the exhumation of the mass grave at Ovcara on 1 September. As of 21 September, they had uncovered but not yet removed between 25 and 30 bodies. By the end of the month, they intend to transport the first bodies to a facility at the University of Zagreb Faculty of Medicine for forensic examination.

V. OBSERVATIONS

15. UNTAES continues on track as the region enters a new phase of reintegration. The complex policy and administrative issues that now need to be addressed can only be resolved through direct contacts between the parties themselves. The beginning of a process of direct contact is therefore an encouraging development. This will become increasingly essential in order to reach agreement on many outstanding policy questions, including on issues which will determine when meaningful and successful elections can be held.

16. For these questions to be settled, the parties must improve their level of cooperation with UNTAES and take positive steps to foster a constructive atmosphere for further progress. On the Croatian side, this requires the prompt meeting of its financial commitments for the provision of public services in the region; substantial acceleration in the issuance of citizenship documents; and a clear information campaign aimed at explaining to its citizens the remaining steps required for a successful reintegration of the region and its population into Croatia. I am concerned by the unwillingness of the Government of Croatia to take steps to inform its population fully of the obligations it assumed when signing the Basic Agreement with regard to the UNTAES mandate, including the rights of residents of the region, and by the fact that unrealistic demands by politically active groups are left unchallenged by government officials. I urge the Government to take more energetic steps to foster a political and public atmosphere conducive to confidence-building and, consequently, to the fulfilment of the UNTAES mandate.

17. On the Serb side, obstructionist attitudes of some hardline elements in the local leadership are squandering opportunities to secure firm commitments for job security, economic development, the orderly return of Croat displaced persons, the long-term protection of human rights and the preservation of the multi-ethnic character of the region. Those who seek to slow down the pace of reintegration should be aware that a substantial lack of cooperation by either party could lead to the early termination of the United Nations Transitional Administration of the region. The wisest course for those who have taken on the responsibility of leading their people is full cooperation with UNTAES and constructive engagement with the Government of Croatia.

DOCUMENT S/1996/824

Letter dated 3 October 1996 from the representative of the Republic of Korea to the President of the Security Council

[*Original: English*]
[*3 October 1996*]

I have the honour to write to you pursuant to my previous letter dated 23 September 1996 [*S/1996/774*] regarding the recent infiltration into the Republic of Korea by armed commandos from the Democratic People's Republic of Korea in a military submarine.

I would first like to provide you with an update on the situation. In the time since my last letter, two more North Korean commandos have been killed in an exchange of fire with the Republic of Korea Army, which, including the 11 found dead, executed by their own cohorts, brings the total number of North Korean deaths to 22. In addition to the one commando captured alive, we assume that three North Korean commandos remain at large. In the course of the firefights, nine lives have been lost on our side, including one civilian, and 22 Republic of Korea Army soldiers have been wounded. A large-scale search operation continues for the remaining intruders.

On various occasions, including at the newly convened General Assembly meeting, North Korea has continued to allege that the submarine, while on a routine training mission, experienced engine trouble and ran aground after drifting in the East Sea. They persist in this claim despite the abundance of concrete evidence and technical findings that clearly prove that this is nothing but pure fabrication. Moreover, North Korea not only denounces the Republic of Korea for attacking their allegedly unarmed soldiers, but absurdly claims that, as victims, they have the right to retaliate against us.

As I made clear at the consultations held by members of the Security Council on 20 and 24 September, as well as through the aforementioned letter, we believe it is now incumbent upon the Government of the Republic of Korea to bring this issue before the Council. For this reason, my Government strongly believes that appropriate action by the Council on the issue is now in order.

Most importantly, I wish to reiterate that my Government is extremely concerned that this incident reflects a clear pattern of military provocations by North Korea against the Republic of Korea, and forms part of a larger scheme not only to dismantle the Korean Armistice Agreement but also to destabilize the Republic of Korea.

It is therefore important for the international community to send a clear and strong signal to North Korea that further provocations on its part will not be tolerated.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Park Soo Gil
Permanent Representative of the
Republic of Korea
to the United Nations

DOCUMENT S/1996/827

Progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III)

[*Original: English*]
[*4 October 1996*]

I. Introduction

1. The present report is submitted pursuant to paragraph 25 of Security Council resolution 1064 (1996) of 11 July 1996, in which the Council, *inter alia*, requested me to report by 1 October 1996 on the progress made by the Government of Angola and the União Nacional para a Independência Total de Angola (UNITA) towards meeting the goals and timetable agreed between them. It covers major developments since my last report, dated 27 June 1996 [*S/1996/503*].

II. Political aspects

2. Since the extension of the mandate of UNAVEM III on 11 July 1996, my Special Representative, Mr. Alioune Blondin Beye, in close collaboration with the representatives of the three observer States (Portugal, the Russian Federation and the United States of America) has conducted intensive consultations with the Government and UNITA. Several senior officials of the observer and other concerned States visited Angola to urge the parties to move the peace process forward. However, despite these efforts, the progress achieved towards the implementation of the Lusaka Protocol [*S/1994/1441*] has been disappointing.

3. The Joint Commission continued to meet regularly to review the implementation of the monthly calendar of agreed tasks. On 22 August, the representatives of the three observer States issued a statement urging the Angolan parties to work vigorously towards the fulfilment of their commitments. On 4 September, I addressed a letter to the President of UNITA, Mr. Jonas Savimbi, expressing serious concern at the persistent delays and postponements in the implementation of the provisions of the Lusaka Protocol.

4. Many observers expected that the Third Extraordinary Congress of UNITA, held at Bailundo from 20 to 27 August 1996, would give the necessary impetus to the peace process; however, those hopes were short-lived. Although the Congress adopted resolutions reaffirming the transformation of UNITA from an armed opposition to a political party and its commitment to implementing the Lusaka Protocol, it did not take the decisions required to facilitate the settlement of major outstanding issues, such as the completion of the formation of the Angolan Armed Forces (FAA) and the extension of State Administration throughout the country. The Congress also rejected the Government's offer to Mr. Savimbi of one of the two vice-presidential posts, stating that UNITA needed his guidance during its transformation from an armed opposition to a political party. Moreover, the Congress expressed reservations about the proposed review of the Angolan Constitution, especially with regard to the electoral law, on which the parties had reached agreement earlier.

5. On 4 September, the Political Bureau of the governing party, the Popular Movement for the Liberation of Angola (MPLA), issued a communiqué expressing its dismay at UNITA's rejection of the Government's offer of a vice-presidential post for Mr. Savimbi, and called on the Government to request the Joint Commission to declare null and void the provision of the Lusaka Protocol which envisaged a special status for Mr. Savimbi. It also called for the suspension of talks on constitutional revisions. In response to a note from the Government delegation, on 12 September the Joint Commission reaffirmed the legal validity of the special status guaranteed to the President of UNITA and stated that, as an integral part of the Lusaka Protocol, that provision could be amended only by joint agreement of the signatories to the Protocol. The Joint Commission also requested UNITA to present counter-proposals regarding the special status for its President. On 1 October, UNITA sub-

mitted proposals for the special status of Mr. Savimbi as the President of the largest opposition party.

6. In order to fulfil the provisions of the Lusaka Protocol regarding the transformation of *Vorgan* into a non-partisan radio station, UNITA has pledged to complete the necessary legal and administrative formalities by presenting the pertinent documents to the Government. However, it has not so far done so. With regard to the United Nations radio, the Government has granted to UNAVEM III additional airtime on the national radio and television which the Mission has been using without restriction.

7. In view of the strained political climate, my Special Representative presented the two parties with a "Mediation Document", formulated in consultation with the representatives of the observer States, which outlined all outstanding military, police and political tasks. He called on both parties to take concrete measures to fulfil those tasks before 20 September. However, despite the promises made by the parties, in particular by UNITA, only marginal progress has been achieved so far.

8. Efforts are under way to convene a fifth meeting between President dos Santos and Mr. Savimbi, this time on Angolan territory. The Joint Commission expects that the two leaders will address a number of pressing issues, particularly the special status for the President of UNITA, the extension of State administration throughout the country, the free circulation of people and goods, the return of UNITA deputies to the National Assembly, the formation of the Government of Unity and National Reconciliation, and the assumption by UNITA officials of their posts at the national, provincial and local levels. The controversial issue of the repatriation of mercenaries also remains to be settled.

9. In an attempt to accelerate the pace of implementation of the Lusaka Protocol, a summit meeting of the States members of the Southern African Development Community (SADC) was held at Luanda on 2 October. The meeting, which was held under the auspices of the newly-created SADC Organ on Politics, Defence and Security, was attended by the heads of State of Angola, Botswana, Mozambique, Namibia, South Africa, Zambia and Zimbabwe, by the Prime Minister of Swaziland and by the Deputy Prime Ministers of Lesotho and Mauritius. The leader of UNITA was also invited to participate, but he declined the invitation in spite of repeated efforts by a number of heads of State and by myself to persuade him to attend. In a final communiqué, the participants expressed their concern at the slow progress of the peace process and their regret at the failure of Mr. Savimbi to attend the summit. They believed that his presence would have contributed to the reinvigoration of the peace process. They called upon the Security Council to take into consideration the latest actions by UNITA and urged it to adopt measures, within the framework of resolution 864 (1993) of 15 September 1993, to oblige UNITA to fully and urgently respect the deadlines established by the Council. The summit called on the international community to continue to provide support to the peace process at this critical stage.

III. MILITARY ASPECTS

A. *Status of the ceasefire and deployment of UNAVEM III*

10. Despite strenuous efforts by my Special Representative, only limited progress has been achieved during the past three months in implementing the military aspects of the Lusaka Protocol. Many deadlines set by the Joint Commission have not been met, particularly for the tasks to be implemented by UNITA. Expectations which were raised in June and July for the expeditious completion of the quartering of UNITA troops, the selection of its soldiers for incorporation into the Angolan Armed Forces and the demobilization of ex-combatants, have also been disappointed.

11. However, the ceasefire continues to hold throughout the country, with the exception of tensions in the diamond-producing provinces of Lunda Norte and Lunda Sul. During the period under review, 55 ceasefire violations were reported, only 8 of which could be confirmed after investigation by UNAVEM III. All of them involved either unauthorized movement of troops or restrictions on UNAVEM III activities. On 8 September, the so-called "UNITA police" detained a UNAVEM III helicopter and its crew in Bié province. On 15 September, a United Nations aircraft was temporarily prevented by UNITA from leaving Bailundo. On 21 September, UNITA denied permission for another United Nations aircraft to conduct investigation activities in the area of Chitembo. These actions deserve strong condemnation.

12. The Angolan Armed Forces have completed 61 withdrawal movements from forward positions to the nearest barracks, and subsequently corrected all except one of the withdrawals which had been declared unacceptable by UNAVEM III; consultations aimed at finding a mutually agreeable solution to this case are continuing. In a welcome development, an agreement was concluded on the withdrawal of Government troops from the sensitive Lunda provinces. It is important to conclude this exercise as soon as possible.

13. As at 27 September, the strength of UNAVEM III military and police personnel stood at 7,264. During the period under review, several contingents underwent rotations and the Mission started to prepare contingency plans for the phased downsizing of its formed military units, in conjunction with the completion of major tasks envisaged in the Lusaka Protocol. My recommendations in this regard are contained in the observations section of this report.

B. *Quartering of UNITA troops*

14. As at 27 September, the number of UNITA personnel registered in the 15 quartering areas stood at 63,189, which exceeds the figure of 62,500 initially declared by UNITA to be the strength of its military forces. It is also expected that an additional 1,700 UNITA troops (including 300 deployed in Cabinda) will be quartered, and that some 5,500 troops will be incorporated into the Angolan National Police. While more personnel are expected to be inducted into the quartering areas, the number of desertions, which have now

reached 11,500, remains particularly worrying. The UNITA leadership has promised to return many of these personnel to quartering areas. This undertaking should be implemented promptly and in good faith.

15. The continued presence of "UNITA police" in areas vacated by their troops is also a matter of serious concern. UNAVEM III is insisting that these personnel be quartered without delay. Unless they are, it will be impossible to extend State administration throughout the country as foreseen under the Lusaka Protocol. With the official closure of all quartering areas as from 15 September, UNAVEM III has initiated an extensive verification operation regarding the presence of armed elements, and weapons in their possession, in the areas vacated by UNITA troops.

16. After several unexplained postponements, UNITA finally handed over to UNAVEM III substantial quantities of weapons in the southern, northern and north-eastern parts of the country. However, despite repeated promises by the UNITA leadership, the overall quality of the weapons and ammunition surrendered remains low. Moreover, only 28,762 personal weapons and 3,969 crew-served weapons have been surrendered to the United Nations, while a total of 24,867 troops have registered in the quartering areas without weapons as at 27 September. The UNAVEM III Force Commander is preparing a comprehensive report to the Joint Commission on this crucial issue. It is imperative that UNITA do everything possible to dispel doubts about its full cooperation in this process, and to declare formally that it has quartered all its troops and surrendered all available weapons.

17. In coordination with United Nations agencies and non-governmental organizations, the Humanitarian Assistance Coordination Unit continued extensive food distribution and health and sanitation programmes for the quartered troops and 120,000 of their dependants accommodated in satellite camps. While special civic training programmes focusing on demobilization and social reintegration of ex-combatants have been launched in the camps, humanitarian organizations have carried out over 130,000 medical examinations and follow-up treatments. However, the protracted presence of large numbers of people in quartering areas is a source of growing concern. Some UNITA personnel have been in these areas for almost one year. This imposes an additional burden on international humanitarian operations in Angola and could create a serious threat to the peace process. It is therefore crucial to commence an orderly demobilization process before the beginning of the rainy season and to concentrate dwindling resources on social reintegration activities. The transfer to the Government of responsibility for the management of the quartering areas (which should become demobilization centres) should be effected as soon as possible.

C. *Formation of the Angolan Armed Forces*

18. Despite the efforts of the United Nations, little progress has been recorded in the formation of the Angolan Armed Forces as envisaged in the framework agreement reached between the Government and UNITA in May. The process has been beset by numerous problems and, as at 27 September, only about 4,000 of the 26,300 UNITA personnel to be incorporated into FAA have been selected. Although selection teams were deployed to almost all quartering areas, UNITA continued to procrastinate on this issue.

19. Five of the 10 UNITA commanding officers expected to join FAA, including Chief-of-Staff General Arlindo Chenda Pena "Ben Ben", arrived in Luanda on 9 September and were well received by their FAA colleagues. However, notwithstanding numerous assurances, the arrival in Luanda of the remaining five UNITA generals did not materialize by 3 October, raising renewed doubts about UNITA's intentions.

D. *Demining and road rehabilitation*

20. Specialized non-governmental organizations, the United Nations-contracted demining company MECHEM, the Angolan demining brigades trained by the United Nations, and UNAVEM III military engineers continued to expand their activities throughout the country. While much progress has been achieved in this vital area, demining operations in some provinces were still hindered by restrictions. In Malange province, MECHEM's operations were stopped by UNITA for almost two months at the Cuiji River, while at the Cune River UNITA prevented United Nations military engineers from carrying out their demining activities. These restrictions are unacceptable, and UNITA must immediately desist from such practices and allow demining activities to proceed as mandated.

21. The casualties caused by anti-personnel mines in Angola continue unabated. A section of the strategic Malange-Saurimo road had to be closed temporarily following a mine explosion which resulted in two fatalities and in injury to four members of the Zimbabwean contingent. The Luena-Lumege road was closed after a mine incident on 10 August. On 22 September, four members of the Brazilian contingent were seriously injured in a mine explosion at Chicaunda. In addition, MECHEM had to repeat its minesweeping operations on the Saurimo-Luena road after old mines were discovered there. In the meantime, the United Nations has been able to step up road rehabilitation and bridge reconstruction, with a total of 32 bridges launched since the beginning of the operation. Many of these bridges are the property of UNAVEM III contingents. It would seem justified for the United Nations to absorb the costs of leaving them in place, as an additional contribution from the international community to the economic rehabilitation of Angola.

22. So far, the United Nations Central Mine-Action Training School has trained over 300 Angolan nationals, thus enhancing the capacity of the National Institute for the Removal of Unexploded Ordnance (INAROE). Four Angolan demining brigades have been deployed to 4 of the country's 18 provinces. The fifth group of deminers has completed its training, and a sixth is receiving instruction. However, the overall programme of strengthening the national capacity has fallen behind schedule owing to poor cooperation of the

parties and shortage of adequate equipment and demining supervisors. At the beginning of 1997, this programme is expected to be transferred to INAROE, technical support being provided by the Department of Humanitarian Affairs of the Secretariat and the United Nations Development Programme (UNDP). The Department intends to use for this purpose resources available for Angola in the Voluntary Trust Fund for Assistance in Mine Clearance and to launch an appeal for further funding. I recommend that the equipment provided for the school and for the brigades be transferred in due course by UNAVEM III to the Department of Humanitarian Affairs and UNDP in order to support INAROE.

IV. POLICE AND HUMAN RIGHTS

23. UNAVEM III has been able to intensify the activities of its civilian police component, now deployed at approximately 40 sites. This component monitors the neutrality of the Angolan National Police, the state of law and order and the free circulation of people and goods, and performs other tasks envisaged in the Lusaka Protocol. It has also verified the quartering of 5,458 officers of the Angolan rapid reaction police in 13 areas and has monitored the adaptation of their weapons to their new mission. In most rapid reaction police barracks this adaptation has been carried out in a satisfactory manner but, in three quartering sites, units are still equipped with mortars, rocket launchers and armoured personnel carriers. However, the Government has now informed UNAVEM III that the adaptation has been implemented. Little progress has been achieved in the training of UNITA personnel designated to serve as bodyguards for its leadership; only 28 have commenced Government training courses and, of the projected 184 bodyguards, 102 have yet to be selected.

24. The Government launched the programme for the disarmament of the civilian population ahead of schedule; the operation, which began on 1 July, has been carried out in nine major urban centres, including Luanda. So far, the results have been modest, with 1,669 firearms and over 9,000 rounds of ammunition recovered, in addition to a number of rocket launchers, grenades, mortars and other matériel. While it is encouraging that these operations have been proceeding in a coordinated manner and under close UNAVEM III monitoring, the need to introduce incentives in the form of "buy-out" programmes has become increasingly obvious. The United Nations is also urging the Government to start collecting weapons in the possession of members of its Civil Defence Corps, who serve in almost all provinces.

25. Together with the UNAVEM III Human Rights Unit, the civilian police component has monitored and investigated alleged abuses of human rights. It is of particular concern that these remain persistent, many of them being perpetrated by armed elements against civilians. The number of allegations of human rights violations reported to UNAVEM III has increased in recent months. This may be due to heightened awareness of the population following a nationwide programme of workshops and seminars organized with the assistance of the United Nations.

26. In cooperation with United Nations agencies and non-governmental organizations, UNAVEM III human rights monitors continued to promote improvement of conditions in detention centres. UNAVEM III also held a series of human rights workshops for quartered UNITA elements and, at the request of the Angolan authorities, formulated a plan of action to reform the judicial system. This plan has now been approved by the Government and is being discussed with donor countries. Increased international attention and assistance to Angola in the area of human rights continue to be a major factor in the advancement of the peace process.

V. HUMANITARIAN OPERATIONS

A. *Relief and rehabilitation*

27. During the reporting period, humanitarian activities continued to expand to newly-accessible areas, many projects focusing on the transition from emergency assistance to rehabilitation. Activities related to therapeutic feeding, water and sanitation and the rehabilitation of health posts are now being implemented in many areas which have been deprived of assistance for several years. Seeds and tools for the 1996/97 emergency agricultural campaign, including major contributions from the European Union and the Overseas Development Administration of the United Kingdom of Great Britain and Northern Ireland, are already being delivered to the country. The beneficiaries of this programme will include internally displaced persons, returnees, war-affected populations, and demobilized soldiers. The programme is expected to cover a total of 305,000 families identified by non-governmental organizations operating in the countryside, as well as some 67,500 demobilized soldiers.

28. The prospects for the next planting season depend largely on the free circulation of people and goods. The presence of newly planted mines along some secondary roads which were previously considered safe is raising serious concerns among humanitarian agencies responsible for the distribution of agricultural assistance. Following the increase in rehabilitation activities, and in response to the partial failure of the 1996 harvest, the World Food Programme is distributing throughout Angola an average of 9,000 metric tons per month compared with 6,000 metric tons at the beginning of the year.

29. There is serious concern that the resettlement of internally displaced persons, which was expected to take place on a large scale prior to the 1996/97 agricultural season, did not materialize. They continue to be reluctant to resettle in their areas of origin without adequate security guarantees. As a result, over 1.2 million such persons will remain dependent on food aid for another 12 months.

30. In August 1996, a series of security incidents involving humanitarian organizations and, in particular, the arrest and harassment of humanitarian personnel, resulted in the loss of material and equipment designated for populations in need. On some occasions, the free circulation of people and goods was also hindered, particularly in Moxico province. Similar problems were reported in some parts of Lunda

Norte, Malange and Uíge provinces. This trend is of great concern, particularly to humanitarian organizations implementing projects in remote areas, and has led to a decrease of humanitarian activities in those areas.

B. *Demobilization and reintegration*

31. After delays, the adoption on 16 August by the Council of Ministers of the National Programme for Demobilization and Reintegration of Ex-Combatants marked an important step towards the commencement of the demobilization process. This programme comprises a set of complementary projects aimed at facilitating the short-, medium- and long-term socio-economic reintegration of ex-combatants. It also includes additional support schemes, such as the Government's Special Reinstallation Subsidy, the Fund to Support the Reinsertion of Ex-Combatants into Civilian Society, and the National Service for Reconstruction. Programmatic links are also being established with activities planned by the World Bank, bilateral donors and international development agencies. The current financial commitment of the Government to the programme is in excess of US$ 70 million. This effort deserves encouragement and urgent support from the international community.

32. Although the start of the demobilization of approximately 8,000 under-age soldiers was officially announced by the Joint Commission on 26 August, the process was not formally launched until 24 September. The United Nations and international humanitarian organizations will play an important role in assisting the Government to issue demobilization cards and kits, provide transportation and perform other tasks.

33. The Community Referral Service for ex-combatants, which is run by the Institute for the Socio-Professional Reintegration of Ex-Combatants and UNDP, has now been established in six key provinces and is expected to be operational in 12 provinces within the next few weeks. The Referral Service, together with the Quick Impact Project mechanisms, will provide the demobilized with information and counselling services while facilitating their reintegration into civilian society. A special humanitarian assistance package is also being prepared to support the families of those UNITA soldiers who will be incorporated into FAA. However, the daunting tasks that lie ahead should not be underestimated since approximately 100,000 ex-combatants, including 35,300 former FAA personnel, must be demobilized.

VI. SOCIO-ECONOMIC ASPECTS

34. Angola continues to face a critical economic situation. Because of Government overspending, the country continues to face a serious budget deficit. The level of price subsidies, especially for petroleum products, remains high. The Government recently initiated policy measures, including a decree which would end the commercial operations of the Central Bank, adjustments in interest rates aimed at encouraging domestic savings, increased taxation of the national petroleum corporation, and the adoption of restrictive credit policies.

35. The Government asserts that the "neo-liberal monetarist policy" which it intermittently pursued in 1995 has failed, and it intends to control the prices of staple commodities in official and unofficial markets. At the same time, all importation has to be made under strict Government licensing and subject to fixed foreign currency exchange ceilings. The new system of foreign exchange is determined administratively by the Central Bank in an attempt to maintain stability in the local currency. In the meantime, the economic situation is leading to distortions in prices caused by the different sources of supply of goods and services, both official and illegal, and many observers believe that present conditions may lead to rationing of basic foodstuffs. It should be noted that the Government has neither indicated the duration of its policy of direct intervention in the markets nor articulated medium-term or long-term economic goals.

36. Many external development partners of Angola were of the opinion that the installation of the new Cabinet in June 1996 would enhance dialogue with them, as well as facilitate quick microeconomic decisions, and they have been carefully watching recent developments. Several evaluation missions led by senior officials of UNDP, the World Bank and the International Monetary Fund have visited Angola in the last few months. In September 1996, the Angolan Minister of Planning visited Washington, D.C., where he held productive discussions on the Government's new economic policies. Nevertheless, for the reasons described above, bilateral donors, including those who pledged funds at the Round Table Conference held in Brussels in 1995, and international development agencies continue to be cautious about committing funds.

VII. FINANCIAL ASPECTS

37. By its resolution 50/209 B of 7 June 1996, the General Assembly appropriated an amount of $169,188,500 gross ($165,984,100 net) for the maintenance of UNAVEM III for the period from 1 July to 31 December 1996, to be assessed on Member States at a monthly rate of $28,186,410 gross ($27,664,010 net), subject to the extension of the mandate of UNAVEM III by the Security Council.

38. By the same resolution, the General Assembly requested me to provide updated cost estimates for the period from 1 January to 30 June 1997, no later than 1 November 1996, for its consideration at its fifty-first session. Should the Council decide to extend the mandate of UNAVEM III, the cost of maintaining the Mission during the extension period will be within the monthly rate indicated in the preceding paragraph.

39. As at 23 September 1996, unpaid assessed contributions to the UNAVEM special account for the period since the inception of the Mission amounted to $151.3 million. The total outstanding assessed contributions for all peacekeeping operations as at 23 September 1996 was $2,044.0 million.

VIII. OBSERVATIONS

40. While the ceasefire is holding and the parties continue to profess their commitment to the Lusaka Protocol, the lack of significant progress in the peace process over the past three months is a source of serious concern. Nearly two years after the signing of the Protocol, the continuing delays and unfulfilled promises, particularly on the part of UNITA, in implementing the successive timetables for the completion of key military and political issues are no longer acceptable. Despite the persistent efforts of my Special Representative, the observer States and other Member States concerned, the implementation process is substantially behind schedule and the lack of mutual trust between the Government and UNITA continues to jeopardize the attainment of lasting peace in Angola.

41. UNAVEM III is currently the largest United Nations peacekeeping operation and requires considerable human, material and financial resources. At a time when funds for peacekeeping are scarcer than ever and all expenditures of the Organization are being closely scrutinized, it is becoming increasingly difficult to generate international support for operations which do not enjoy the full cooperation of the conflicting parties. In the case of Angola, the pattern has been one of grudging compliance with the provisions of the Lusaka Protocol, with protracted delays and last-minute concessions. This trend cannot continue and the parties, especially UNITA, must now decide whether they will implement in good faith all the outstanding provisions of the peace agreements.

42. The failure by Mr. Savimbi to attend the SADC summit held at Luanda on 2 October was unfortunate. His participation in the summit would have provided a good opportunity for a meeting on Angolan soil with President dos Santos to resolve key outstanding issues, to provide a much-needed impetus to the peace process, and to establish long-term stability in the country. I hope that such a meeting can be held in the near future. The two parties to the Lusaka Protocol bear a special responsibility not only to their own people, but also to the international community, which expects the Government and UNITA to demonstrate a renewed spirit of cooperation leading to national reconciliation. If UNITA genuinely feels that Mr. Savimbi cannot assume a vice-presidential post, it is incumbent on it to make a meaningful counter-proposal as soon as possible. UNITA must also ensure the earliest arrival in Luanda of all its generals for integration into FAA, the return of deserters to quartering areas, and expeditious selection of its soldiers for incorporation in FAA, so as to begin large-scale demobilization before the start of the rainy season. It is essential that these, and other pressing tasks outlined in this report, be accomplished urgently in accordance with a clear and precise calendar.

43. The demobilization and reintegration process is at a critical juncture: to support the demobilization of approximately 100,000 ex-combatants, the humanitarian community will have to increase its activities and donors will need to come forward with additional resources. Only 27.4 per cent of the costs of the demobilization and reintegration programmes are currently covered, and, unless the donor community provides the indispensable additional resources in the near future, the process will come to a halt.

44. Rehabilitation of rural communities is another important aspect of the peace process. Adequate funding of high-priority projects is needed to absorb the large number of refugees, displaced persons and former combatants. I strongly urge the donor community to maintain its support for the peace process by providing the required support for demobilization and reintegration and by fulfilling pledges made at the 1995 Brussels Round Table Conference.

45. The date envisaged for the completion of the mandate of UNAVEM III in Security Council resolution 976 (1995), by which the Mission was established, namely 8 February 1997, is fast approaching. Plans for the orderly and phased drawdown of the Mission are being finalized. Despite the considerable delays which have occurred, it should still be possible for UNAVEM III to fulfil most of its mandated tasks by February 1997. It is therefore my intention to initiate the downsizing of the Mission by withdrawing some infantry and support units by the end of December 1996. I am confident that the members of the Security Council will agree that further troop reductions should be made in accordance with the progress achieved in implementing the remaining provisions of the Lusaka Protocol. I shall present in my next report a detailed schedule for the drawdown of formed military units of UNAVEM III, as well as recommendations regarding the role the United Nations should continue to play in Angola to consolidate the peace process.

46. The response of the international community to Angola's continuing need for support will depend on the concrete actions the Angolan parties take in the coming weeks. Unless serious progress is made in several key areas before the expiration of the current mandate of UNAVEM III on 11 October, I recommend that the Council consider only a short extension of the mandate, perhaps until 11 December, so that it can keep the situation in Angola under close review and respond appropriately to continuing delays, especially by UNITA, in compliance with the Lusaka Protocol. If, on the other hand, certain pressing commitments are honoured in the next few days, in particular the arrival of all UNITA generals in Luanda and acceleration of the selection of UNITA soldiers and their incorporation into the national army, the Security Council may wish to consider a longer extension of the mandate.

47. In closing, I should like to pay tribute to my Special Representative and all staff of UNAVEM III, as well as to the personnel of United Nations programmes and agencies and of non-governmental organizations for their commendable efforts to further the cause of peace and national reconciliation in Angola, under challenging conditions.

[See map at the end of present volume.]

ANNEX

UNAVEM III: Military and civilian police personnel

(as at 25 September 1996)

Country	*Military observers*	*Civilian police officers*	*Staff officers*	*Troops*[a]	*Total*
Algeria	7	–	–	–	7
Bangladesh	10	21	11	209	251
Brazil	20	10	35	1 046	1 111
Bulgaria	8	15	–	–	23
Congo	8	–	–	–	8
Egypt	11	15	1[b]	–	27
France	8	–	12[b]	–	20
Guinea-Bissau	18	3	–	–	21
Hungary	10	8	–	–	18
India	20	8	50	1 030	1 108
Italy	–	–	4[b]	–	4
Jordan	20	20	3[b]	–	43
Kenya	10	–	–	–	10
Malaysia	20	20	3[b]	–	43
Mali	10	15	–	–	25
Namibia	–	–	6	203	209
Netherlands	12	10	8[b]	–	30
New Zealand	6	–	9[b]	–	15
Nigeria	20	21	–	–	41
Norway	5	–	–	–	5
Pakistan	10	–	15[b]	–	25
Poland	5	–	–	–	5
Portugal	11	21	14	311	357
Republic of Korea	–	–	6	198	204
Romania	–	–	23	872	895
Russian Federation	10	–	2	158	170
Senegal	10	–	–	–	10
Slovakia	5	–	–	–	5
Sweden	23	10	2[b]	–	35
Ukraine	5	–	8	203	216
United Kingdom of Great Britain and Northern Ireland	–	–	1	–	1
United Republic of Tanzania	–	3	–	–	3
Uruguay	10	14	44[b]	813	881
Zambia	10	15	23	496	544
Zimbabwe	22	22	40	810	894
Total	**344**	**251**	**320**[c]	**6 349**	**7 264**

[a] Including military police.

[b] Including military specialists in the UNAVEM III demining school and in Quartering Area Administration.

[c] The total figure does not include the five demining experts seconded by Germany.

DOCUMENT S/1996/832

Letter dated 7 October 1996 from the representative of Zimbabwe to the President of the Security Council

[*Original: English*]
[*7 October 1996*]

I wish to recall my letter of 4 October 1996, by which I informed you that the summit meeting of the Southern African Development Community, which was held recently at Luanda, had selected a five-man team composed of the Ministers for Foreign Affairs of Angola, Botswana, Mozambique, South Africa and Zimbabwe (Chairman) to proceed to New York in order to participate in the debate on the peace process in Angola.

On behalf of the five States Members of the United Nations mentioned above, I wish formally to request you to convene on Thursday, 10 October 1996, a meeting of the Security Council to consider the critical situation in Angola. I wish to stress that the meeting that my country and the other four are requesting is separate from the Security Council meeting scheduled for Friday, 11 October, for the purpose of renewing the mandate of the United Nations Angola Verification Mission (UNAVEM III).

(*Signed*) M. T. MAPURANGA
Permanent Representative of Zimbabwe
to the United Nations

DOCUMENT S/1996/834

Letter dated 8 October 1996 from the representative of Bosnia and Herzegovina to the President of the Security Council

[*Original: English*]
[*8 October 1996*]

It has come to our attention that a presidential statement is being considered by the Security Council regarding the report on human rights abuses in Srebrenica, Zepa, Banja Luka and Sanski Most. The murders, acts of ethnic cleansing and other abuses committed deserve the Council's attention. We support the efforts of those who seek to have the Council address the matter. It is our own opinion, nonetheless, that the most appropriate and serious measures that the Council can undertake is to ensure that those responsible for these crimes are arrested and brought to justice, and that those that shield the internationally indicted are, in turn, sanctioned by the international community. There has not been an appropriate response to the Security Council's demands contained in its presidential statement of 8 August 1996 [*S/PRST/1996/34*]. The Council is obliged now to adopt the measures that justice and a durable peace demand and short-sighted political expediency avoids.

We also ask the Security Council to take into consideration the report dated 16 August 1996 to the Security Council and General Assembly entitled "Third annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" [*S/1996/665*].

Paragraph 167 of the report states:

"The degree of cooperation encountered has varied remarkably among these States and Entities. The Republic of Bosnia and Herzegovina has been by far the most cooperative party: it has replied to nearly every warrant addressed to it, explaining its inability to execute arrest warrants in Bosnian territories outside its control, and is one of the two parties to date which has executed arrest warrants addressed to it, namely the warrants against Delic and Landzo. These arrests were important events in the history of State cooperation with the Tribunal. The Republic of Bosnia and Herzegovina has also allowed an office to be established in Sarajevo and has provided Tribunal investigators with access to sites and persons."

Paragraph 168 of the report states:

"On the other end of the spectrum, Republika Srpska has failed to execute any of the scores of arrest warrants which have been addressed to it, or to explain its inability or failure to do so ..."

Paragraph 169 of the report states:

"The Federal Republic of Yugoslavia (Serbia and Montenegro) has an almost equally dismal record of cooperation with the Tribunal. It is to be noted that under the Dayton Accord, the Federal Republic of Yugoslavia (Serbia and Montenegro) is responsible for Republika Srpska's cooperation and compliance as well as its own ... It has, however, failed to arrest any indictees in its territory and has further allowed prominent indictees ... to appear publicly in Belgrade with impunity...".

Paragraph 203 of the report concludes:

"The Tribunal, however, still depends heavily on State cooperation to discharge its mandate, and without the cooperation of some of the States or Entities of the former Yugoslavia (notably the Federal Republic of Yugoslavia (Serbia and Montenegro), which is only cooperating to a limited extent and not in the crucial areas, and Republika Srpska, which is failing to cooperate even minimally), the arrest and transfer of major indictees, notably Karadzic, Mladic and Kordic, are a forlorn hope. Croatia, while it is cooperating in part, must nevertheless exercise its acknowledged authority and influence over Bosnian Croats to effect the arrest of indictees such as Kordic and Rajic."

May I ask for your kind assistance in circulating the text of the present letter as a document of the Security Council.

(*Signed*) Muhamed SACIRBEY
Permanent Representative of Bosnia and Herzegovina to the United Nations

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DOCUMENT S/1996/835

Letter dated 8 October 1996 from the representative of Georgia to the President of the Security Council

[*Original: English*]
[*8 October 1996*]

Allow me, first, to congratulate you on assuming the functions of President of the Security Council for this month. I am convinced that your skilful guidance of its deliberations will ensure the productive and successful work of this important body of the family of nations.

I would also like to once again repeat myself and extend my Government's sincere gratitude to the United Nations, its Security Council and particularly to the group of countries known as the Friends of Georgia, for their continued dedication to the cause of restoring lasting peace in my country.

The systematic and persistent efforts of the international community aimed at reaching a comprehensive settlement of the conflict in Abkhazia, Georgia, still runs up against the intransigence of the Abkhaz leadership, which fails to consider compromise a moral category.

In all its previous resolutions, and particularly in its resolution 1065 (1996) of 12 July 1996, the Security Council has demanded "that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons without delay or preconditions…". It has also affirmed "the unacceptability of the demographic changes resulting from the conflict".

In response to this call of the world community, the separatist leadership not only showed utter disregard for the decisions of the Security Council, but exacerbated the situation even more so by scheduling the presidential and parliamentary elections to be held in Abkhazia, Georgia, by November 1996.

We strongly believe that under present circumstances, when Abkhazia is left uninhabited by Georgians, when more than 300,000 refugees and displaced persons remain homeless, disenfranchised and humiliated, and in the face of the present demographic conditions, this decision is not only unlawful but also immoral, capable of damaging the peace process beyond repair.

We also have serious grounds to predict consequences far worse than just a stall in the peace process. The scheduled elections may irrevocably shatter the hope for the negotiated settlement of the dispute and spur the population on to uncontrollable actions. The resumption of hostilities will certainly set in motion a fateful process not only in Abkhazia, Georgia, but in the entire region of the Caucasus.

We believe that at a time of the Secretary-General's pending interim report on Georgia, the international community should unequivocally denounce this adventurist step of the Abkhaz authorities and take serious measures to prevent another conflagration in Georgia.

The Security Council has always been committed to Georgia's territorial integrity and has more than once affirmed this commitment by word and deed. We are confident that the world Organization will adequately react to the provocative actions of the separatists and will reflect its resolve in relevant documents of the United Nations.

I would be most grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Peter CHKHEIDZE
Permanent Representative of Georgia to the United Nations

DOCUMENT S/1996/838*

Letter dated 8 October 1996 from the representatives of Kazakstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the Secretary-General

[*Original: Russian*]
[*8 October 1996*]

We have the honour to transmit the text of a joint statement made on 4 October 1996 by the leaders of the Republic of Kazakstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan concerning developments in Afghanistan, in which they propose that a special meeting of the Security Council should be held without delay, with the participation of interested countries, with a view to adopting urgent measures to halt the fighting and achieve a comprehensive political settlement of the Afghan conflict, and to arrange for the provision by the international community of humanitarian assistance to the civilian population and refugees.

We should be grateful if you would bring this proposal to the attention of the Security Council, and circulate the text of the present letter and its annex as a document of the General Assembly and of the Security Council.

(*Signed*) A. ARYSTANBEKOVA
Permanent Representative of the
Republic of Kazakstan to the United Nations

(*Signed*) S. LAVROV
Permanent Representative of the
Russian Federation to the United Nations

(*Signed*) R. ALIMOV
Permanent Representative of the
Republic of Tajikistan to the United Nations

(*Signed*) A. VOHIDOV
Acting Permanent Representative of the
Republic of Uzbekistan to the United Nations

(*Signed*) Z. ESHMAMBETOVA
Permanent Representative of the
Kyrgyz Republic to the United Nations

ANNEX

Joint declaration made on 4 October 1996 by the leaders of Kazakstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan concerning developments in Afghanistan

We, the participants in the Almaty meeting, having exchanged views on developments in Afghanistan, express our serious concern at the expansion and intensification of the armed confrontation in Afghanistan, which has claimed countless victims among the civilian population and caused a new wave of refugees and displaced persons. The executions and the brutal murder of former President Najibullah have increased tension and brought Afghanistan to the brink of a national disaster and the collapse of the Afghan State.

The flames of war are coming nearer to the borders of countries members of the Commonwealth of Independent States (CIS), posing a direct threat to the national interests and security of these States and the Commonwealth as a whole, and destabilizing the situation in the region and the world.

We declare that any actions that undermine stability on the borders between Afghanistan and CIS States are inadmissible. Such actions, regardless of their perpetrators, shall be deemed a threat to the common interests of CIS States and, on the basis of the Treaty on Collective Security, signed at Tashkent on 15 May 1992, will meet with an appropriate response. The participants in the meeting appeal to the Commonwealth's Collective Security Council to consider, as a matter of urgency, the situation that has arisen on the southern borders of CIS and to take the necessary measures to strengthen the security of the Commonwealth's external borders.

We appeal to the Afghan parties to the conflict, first of all the Taliban, to call an immediate halt to hostilities and begin to seek ways of achieving national accord. It is time to end the war in Afghanistan, which has been dragging on for years. An obligatory condition must be the non-interference by foreign elements in the internal affairs of sovereign Afghanistan and the preservation of that country's territorial integrity.

We propose that a special meeting of the Security Council of the United Nations should be held without delay, with the participation of interested countries, with a view to adopting urgent measures to halt the fighting and achieve a comprehensive political settlement of the Afghan conflict, and to arrange for the provision by the international community of humanitarian assistance to the civilian population and refugees.

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* Circulated under the double symbol A/51/470–S/1996/838.

DOCUMENT S/1996/841

Letter dated 10 October 1996 from the representative of Zimbabwe to the President of the Security Council

[*Original: English*]
[*10 October 1996*]

I have the honour to transmit herewith the communiqué of the Summit of the Southern African Development Community (SADC) Organ on Politics, Defence and Security, held at Luanda on 2 October 1996, and to request that it be circulated as a document of the Security Council.

(*Signed*) M. T. MAPURANGA
Permanent Representative of Zimbabwe to the United Nations

ANNEX

Communiqué of the Summit of the Southern African Development Community Organ on Politics, Defence and Security, held at Luanda on 2 October 1996

1. The Summit of the Southern African Development Community (SADC) Organ on Politics, Defence and Security took place at Luanda on 2 October 1996.

2. Participating in the Summit were:

Zimbabwe:	President Robert Gabriel Mugabe (Chairman)
Angola:	President José Eduardo dos Santos
Botswana:	President Ketumile Masire
Mozambique:	President Joaquim Chissano
Namibia:	President Sam Nujoma
Zambia:	President Frederick J. T. Chiluba
South Africa:	President Nelson Mandela
Swaziland:	Prime Minister B. S. Dlamini
Lesotho:	Deputy Prime Minister P. Mosisili
Mauritius:	Deputy Prime Minister and Minister of Foreign Affairs, International and Regional Cooperation, Paul Raymond Berenger
Malawi:	Acting High Commissioner in Namibia, T. L. Maruwasa

3. The Summit was briefed by the President of the Republic of Angola, José Eduardo dos Santos, on the status of the peace process under the terms of the 1994 Lusaka Protocol [*S/1994/1441*].

4. The Summit was also briefed on the situation regarding the overall Angolan peace process by Mr. Alioune Blondin Beye, the Special Representative of the Secretary-General for Angola.

5. The Summit expressed concern over the slow progress and apparent stalemate in the implementation of the Lusaka Protocol.

6. The Summit expressed deep regret over the absence of the União Nacional para a Independência Total de Angola (UNITA) leader, Mr. Jonas Savimbi, from the Summit of the SADC Organ on Politics, Defence and Security at this crucial time of the peace process. The Summit felt that Mr. Savimbi's presence would have contributed immensely to its understanding of UNITA concerns and anxieties, thereby reinvigorating the peace process.

7. The Summit called for an early high-level meeting between the Government of Angola and UNITA, in order to pave the way for the resolution of all outstanding issues, including the formation of the national army and a government of national unity and reconciliation in accordance with the provisions of the Lusaka Protocol.

8. The Summit made a strong appeal to UNITA to fulfil its commitments within the deadlines established by the Lusaka Protocol and Security Council resolution 864 (1993). In this regard, the Summit further appealed to all countries to refrain from any acts that may negatively affect the resolution of the Angolan conflict.

9. The Summit called on the international community to continue to provide material support to the peace process at this critical stage in order to facilitate the demobilization and integration exercises.

10. The Summit noted that the prevailing situation in Angola is the remaining major obstacle to total regional stability within the SADC region which is seriously hindering the joint development programmes of the region, and, in this context urged UNITA to commit itself to peace and democracy in Angola so as to contribute effectively to the establishment of a new era of peace and cooperation in southern Africa.

11. The Summit expressed its appreciation for the efforts of the Secretary-General, his Special Representative for Angola, the United Nations Angola Verification Mission (UNAVEM III) and the troika of observers in the implementation of the Lusaka Protocol.

12. The Summit resolved to send a team of five Ministers to New York to present the regional position on the Angola peace process to the Security Council.

13. The Summit called upon the Security Council at its next meeting on Angola to take into consideration the latest actions by UNITA and adopt measures, within the framework of resolution 864 (1993) which will oblige UNITA to respect fully and urgently the deadlines established by the Security Council.

14. The Summit expressed its gratitude to the Government and people of Angola for the warm hospitality extended to them and their delegations.

DOCUMENT S/1996/843

Report of the Secretary-General concerning the situation in Abkhazia, Georgia

[*Original: English*]
[*10 October 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 16 of Security Council resolution 1065 (1996) of 12 July 1996, in which the Council requested me to report after three months from the date of the adoption of the resolution on the situation in Abkhazia, Georgia, including the operations of the United Nations Observer Mission in Georgia (UNOMIG).

The present report provides an update of the situation as at 4 October 1996. My previous report was issued on 1 and 3 July 1996 [*S/1996/507 and Add.1*]. In addition, pursuant to the request of the Security Council in paragraph 13 of resolution 1065 (1996), I reported to the Council on 9 August on possible arrangements for the establishment of a human rights office in Sukhumi [*S/1996/644*].

II. POLITICAL ASPECTS

2. In spite of continuous efforts aimed at achieving a comprehensive political settlement of the Georgian/Abkhaz conflict, no significant progress has yet been achieved. The key unresolved issues remain the future political status of Abkhazia and the return of refugees and displaced persons.

3. During the reporting period, my Special Envoy, Ambassador Edouard Brunner, and his resident Deputy, Mr. Liviu Bota, maintained close contact with the representatives of both sides in the conflict, as well as with the representatives of the Russian Federation, in its capacity as facilitator. They also maintained regular contact with senior representatives of the Organization for Security and Cooperation in Europe (OSCE). My Special Envoy is planning to visit the region from 8 to 10 October 1996. On 24 September, I met with the Minister for Foreign Affairs of Georgia, Mr. Irakli Menagarishvili, who was visiting United Nations Headquarters, and discussed the peace process.

4. From 16 to 19 July 1996, a round of negotiations was held in Moscow. Participants included Mr. Vaza Lordkipanidze, Special Representative of the President of Georgia to the Peace Process, and Mr. Anri Jergenia, Special Representative of the Abkhaz leader, Mr. Vladislav Ardzinba. Also present were Mr. Boris Pastukhov, First Deputy Foreign Minister of Russia, as well as my Special Envoy and his Deputy.

5. During these negotiations, my Special Envoy and Mr. Pastukhov each met with the Georgian and Abkhaz sides and then held joint consultations with both sides on the draft protocol [*see S/1996/5, para 40*]. However, no progress was made, mainly because of incompatible positions on the issue of the political status of Abkhazia. While the Georgian side insisted on the federative nature of Georgia, the Abkhaz side demanded that Abkhazia be given equal status. Both sides maintained these positions during further consultations on the draft protocol, held under the auspices of the Russian Federation in Moscow from 10 to 13 September.

6. In a statement on 11 August 1996 [*S/1996/645*], the President of Georgia, Mr. Eduard Shevardnadze, expressed his readiness to meet in the near future with Mr. Ardzinba, provided that positive results could be achieved. He also acknowledged that in the past the Georgian authorities had made some "fateful mistakes", which affected their relations with Abkhaz, Ossetian and other people and also affected Georgians themselves. Mr. Ardzinba responded on 19 August by affirming his readiness to meet President Shevardnadze and stating that such talks should be based on the provisions of the declaration on measures for a political settlement of the Georgian/Abkhaz conflict of 4 April 1994 [*see S/1994/397, annex I*]. While talks between President Shevardnadze and Mr. Ardzinba have not yet taken place, several direct meetings between representatives of the two sides have been held at lower levels.

7. In the latter part of August, Mr. Pastukhov visited Georgia. After holding consultations with the Abkhaz leadership in Sukhumi, he, together with Mr. Lordkipanidze and the Deputy Special Envoy, visited the Gali region for an on-site examination of the situation, including security issues affecting the return of refugees and displaced persons. Mr. Pastukhov then visited Tbilisi, where he was received by President Shevardnadze.

8. During the reporting period, diplomatic envoys of the countries known as the Friends of Georgia visited Sukhumi and held consultations with the Abkhaz leadership.

9. On 30 August, Mr. Ardzinba announced his decision to hold "parliamentary elections" on 23 November 1996. Several Georgian government officials described the proposed elections as illegitimate. President Shevardnadze reacted by saying that the elections were aimed at legalizing the expulsion of Georgians from the region of Abkhazia. On 2 October, the Parliament of Georgia adopted a resolution that considered the Abkhaz decision to hold such elections illegal and any results thereof to be null and void.

10. In a step that could have implications for the Georgian/Abkhaz peace process, President Shevardnadze and the South Ossetian leader, Mr. Ludwig Chibirov, met on 27 August in Vladikavkaz and agreed on further measures for the comprehensive settlement of the conflict in South Ossetia. However, on 6 September, the "Supreme Soviet" of South Ossetia adopted a resolution to "create a presidency" and hold "presidential elections" on 10 November 1996.

III. HUMANITARIAN SITUATION

11. United Nations agencies, non-governmental organizations and the International Committee of the Red Cross (ICRC) continue to implement programmes such as the provision of food to civilians without income or access to social networks, delivery of essential drugs to health institutions, distribution of agricultural inputs and emergency repairs to schools.

12. In addition to those programmes, United Nations agencies have begun to focus on the approaching winter months, which will necessitate the provision of winter clothing, blankets and firewood. In the Gali district, with the exception of Gali town, programmes have been seriously hampered by the presence of mines, which are preventing humanitarian organizations from reaching villages where civilians, including spontaneous returnees, are likely to be in dire need of assistance. In the Kodori Valley, the United Nations Children's Fund (UNICEF) and ICRC are providing health and education materials for the local population.

13. In late July, the Department of Humanitarian Affairs of the Secretariat conducted an inter-agency needs assessment throughout Abkhazia, Georgia, and found that many

people in the region relied on aid to survive. The assessment also confirmed that young children and single elderly persons were especially vulnerable and that many children and adolescents suffered from post-traumatic stress disorders. The Department recently established a sub-office in Sukhumi to facilitate dialogue with local authorities on United Nations humanitarian assistance and to strengthen coordination of relief activities in the region.

A. *The situation of refugees and displaced persons*

14. The Office of the United Nations High Commissioner for Refugees (UNHCR) believes that humanitarian assistance should be given to those who are displaced internally within Abkhazia, Georgia, and, together with implementing partners, UNHCR is making efforts to identify their needs. Though hampered by the laying of mines, UNHCR has continued to rehabilitate schools in the Gali region for the benefit of spontaneous returnees. It has also begun to implement similar projects west of the Gali region.

B. *Human rights*

15. On the basis of my report concerning the programme for the protection and promotion of human rights in Abkhazia, Georgia [*S/1996/644*], consultations are continuing in the Security Council.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

16. During the reporting period, UNOMIG continued to operate in parts of the security and restricted weapons zones and in the Kodori Valley (*see map at the end of the present volume*). The mine threat is still restricting UNOMIG ability to patrol the security and restricted weapons zones in the Gali sector, but patrols continue along the main road (known as the M-27) crossing the sector, as well as in Gali town. The deployment of the Mission and its concept of operations remain as described in my report of 1 July 1996 [*S/1996/507*]. As anticipated in that report [*ibid., para. 20*], the number of observers in the Mission has been reduced temporarily to 124 to accommodate the forthcoming deployment of the engineering support personnel who will undertake mine-detection and clearing.

17. Since the withdrawal of the team bases in the security zone of the Gali sector [*ibid., para. 19*], UNOMIG has worked assiduously to compensate for the resulting lack of first-hand information. A number of observers reassigned to the Zugdidi sector continue to monitor activities south of the Inguri river to assess their effect on the Gali sector. In addition, since June, the Chief Military Observer has authorized observers to conduct foot patrols from the Zugdidi sector into previously inaccessible areas such as the Ganmurkhuri and Horcha pockets, which are north of the river but under the control of the Government of Georgia and into adjacent villages that are under the control of the Abkhaz forces, such as Otobaya. In those communities, UNOMIG now meets regularly with village mayors and others to re-establish dialogue and build confidence among the inhabitants. Joint patrolling with the Commonwealth of Independent States (CIS) peacekeeping force has also enabled UNOMIG to gain access to other parts of the security zone. Observers from the Zugdidi sector have also played a vital role in corroborating information from the southern side of the Inguri river.

18. UNOMIG continues to conduct regular patrols into the Kodori Valley, where they operate from the Adjara team base. Relations between UNOMIG and the local Svanetian community are excellent.

19. The Chief Military Observer has continued to chair the weekly police meetings [*ibid., para. 23*], which serve as a forum where the head of the Gali militia and the chief of the Zugdidi police discuss security matters and exchange information. To deal with the increased tension in the Gali security zone (*see paras. 22 and 24 below*), that forum was recently expanded to allow representatives from the CIS peacekeeping force and security services from both sides to attend. The weekly quadripartite meetings, chaired by the Commander of the CIS peacekeeping force and attended by the Chief Military Observer, have also allowed both sides to discuss security and humanitarian matters.

20. UNOMIG continues to cooperate with United Nations agencies and non-governmental organizations working on both sides of the Inguri river. At the sector level, and in addition to their primary task, UNOMIG medical teams have again provided first aid to CIS peacekeeping personnel and to the local population and they have often assisted with subsequent evacuations.

V. SITUATION ON THE GROUND

A. *General*

21. The situation in the Gali security and restricted weapons zones has remained unsettled and, since mid-August, has become increasingly unstable. The situation in the Zugdidi sector remains relatively calm.

22. Lawlessness continues to be a serious problem in the Gali security zone and cases of murder, armed robbery, kidnapping and assault occur frequently. Mine-laying and attacks on the CIS peacekeeping force and the Abkhaz militia checkpoints also continue and the CIS peacekeeping force, in conjunction with UNOMIG, has used the quadripartite meetings to protest such actions. The Abkhaz militia have conducted several "sweep" operations in the security zone to curb criminality in the area, but these operations have only increased the animosity of the largely Georgian population. As a result, Abkhaz plans to establish a permanent militia post in the lower part of the security zone have not materialized. This increased instability has reinforced Georgian demands that police functions be included in an enlarged mandate for the CIS peacekeeping force.

23. None of the UNOMIG military observers or civilian staff has been a victim of violent crime or involved in a mine incident since my last report to the Security Council.

However, the Chief Military Observer considers this to be due more to the fact that patrolling has been restricted than to an improvement in security conditions. On 27 June, members of an Abkhaz clan threatened to kidnap or harm UNOMIG personnel unless some relatives of theirs, recently imprisoned on the Georgian side, were released. As a result of that threat, which UNOMIG considered to be serious, armed escorts were provided by the CIS peacekeeping force for a short period along one vulnerable section of the M-27 road. On 11 August, the same clan blocked the same road to prevent a joint CIS peacekeeping force and Abkhaz militia convoy from bringing a Georgian delegation to the Sukhumi airport for the purpose of reburying Georgians killed in an air crash in 1993.

B. *Security and restricted weapons zones*

24. On 2 July, an Abkhaz militia checkpoint on the Gali canal was attacked with rocket-propelled grenades and small arms, but there were no casualties. On 8 July, a CIS peacekeeping force soldier was shot and injured by two men who refused to identify themselves at a checkpoint. On 18 August, the Abkhaz militia ambushed five armed men crossing the Inguri river, killing one of them, who, in addition to other weapons, was reportedly carrying an anti-tank mine. On 5 September, four members of an Abkhaz militia foot patrol were ambushed near Inguri-Ges by an unidentified armed group that engaged the patrol with automatic fire. There were no reports of casualties. On 13 September, after receiving information from the local Georgian population, the militia carried out another ambush in the security zone against a group of bandits, killing two of them and recovering ammunition, arms and explosives from the site. The Chief Military Observer noted that this was one of the rare occasions when the local population had called on the militia to fight banditry. On 27 September, unidentified individuals conducted several attacks in the Gali and Ochamchira areas. The Gali militia building was severely damaged and a woman was killed by an explosive device while travelling along the M-27 road. Tension increased as a result of Abkhaz militia operations in the Gali security zone, causing many of the inhabitants to flee to the Georgian side of the Inguri river. On the same day, between 3,000 and 5,000 internally displaced persons gathered in Zugdidi, where some 100 of them established a roadblock barring access to the main bridge over the Inguri river. The aim of the protesters was to express dissatisfaction with the CIS peacekeeping force and the slow progress of resettlement and to influence the outcome of a vote in the Georgian Parliament. That blockade continued until 3 October. Initially, UNOMIG personnel were allowed to cross the bridge on foot after negotiating with the protesters, but for the last 36 hours the blockade was total. On 29 September, unidentified individuals opened fire on an Abkhaz checkpoint across the Gali canal. One or two of the attackers were reportedly killed when the Abkhaz returned fire.

25. My last report contained an account of successful exchanges of hostages in April [*ibid., para. 29*]. Since then, additional kidnappings have occurred, leading to negotiations for the release of hostages in which UNOMIG was occasionally involved. For example, following several days of negotiations under the chairmanship of UNOMIG, an exchange of four hostages on the Georgian side and four prisoners from the Abkhaz side took place on 7 September at the main Inguri bridge. Procedures established during the spring of 1996 involving the participation of the Commissions for Missing Persons of the two sides appear to be working satisfactorily. The Commissions are currently dealing with an exchange of war dead and of people held in custody on both sides for alleged crimes.

26. Both sides continue to violate the Moscow Agreement of 14 May 1994. Between 25 June and 9 September, UNOMIG recorded 8 violations by the Abkhaz side and 37 by the Georgian side. The majority of the violations were committed by off-duty unarmed soldiers entering the security zone for private purposes. They were protested on the spot.

27. However, three of the above-mentioned violations were especially serious. Between 19 July and 7 August, the Georgian armed forces carried out a battalion-level exercise at the Kulevi training area inside the restricted weapons zone. The exercise, during which amphibious landings were conducted against a defended beachhead, involved the use of tanks, tracked-artillery tractors, armoured personnel carriers and attack helicopters. UNOMIG observers were denied access to the training area on several occasions, in violation of their right to freedom of movement. Strong oral protests on the spot were followed by written protests from the Chief Military Observer to the Georgian Minister of Defence and from the Head of Mission to the Minister for Foreign Affairs of Georgia. The Abkhaz armed forces mounted a smaller-scale exercise on 2 August at the Ilori training area inside the restricted weapons zone. Although existing patrolling restrictions in the zone prevented UNOMIG from observing the exercise—details about which appeared in a report on Abkhaz television—follow-up action by UNOMIG observers confirmed that tanks and armoured personnel carriers had been used. UNOMIG protested this violation to the Abkhaz side. Both sides claim that such training can only take place in these areas. On 23 September, the armed force of Georgia conducted another exercise in the Kulevi area that lasted for three days and involved eight aircraft. The exercise was the subject of several protests by UNOMIG.

C. *Kodori Valley*

28. The situation in the Kodori Valley has improved markedly as a result of the arrival of a Georgian police unit of 100 well-trained and disciplined men. While criminal groups used to evade the Georgian police by seeking refuge in the eastern end of the valley, the arrival of the police unit has forced these groups to retreat into upper Svanetia or to stop operating altogether. UNOMIG has noted a noticeable decrease in lawlessness in the valley and a greater sense of security amongst the indigenous Svanetians. The arrival of the police unit was protested by the Abkhaz side, but this protest was not supported by either UNOMIG or the CIS peacekeeping force.

D. *The mine problem*

29. Since my last report to the Security Council, there have been four more mine incidents in the Gali security and restricted weapons zones. These incidents caused two deaths, as well as injuries to seven people. On 11 August, one CIS peacekeeping force officer was killed when his supply vehicle ran over an anti-tank mine on a road in the security zone previously used by UNOMIG to go to the former team base at Inguri-Ges. On 20 August, a CIS peacekeeping force sergeant was badly injured when his tracked vehicle detonated an anti-tank mine placed in an observation post used regularly by the force in the restricted weapons zone near the Gali canal. The other two mine incidents occurred in the restricted weapons zones north of the Gali canal and involved an Abkhaz army truck and a civilian truck.

30. In order to improve safety along the M-27 road, UNOMIG has arranged for the resurfacing of parts of the road that were judged to be especially vulnerable to mine-laying. As a result, some of the restrictions on movement along this part of the road will be lifted.

31. A number of mine-protected vehicles are currently on their way to the mission area, where they should arrive in a few weeks. These vehicles, together with the mine-detection equipment already available to UNOMIG, will enhance the Mission's ability to resume some patrolling in the Gali sector. In addition, the Secretariat is awaiting a reply from a Government regarding the provision of mine-detection vehicles and support personnel [*ibid., para. 38*]. These vehicles should enable the Mission to resume patrolling the Gali sector at a reasonable level of operational effectiveness.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

32. Cooperation between UNOMIG and the CIS peacekeeping force has been good. In particular, the medical staff of both missions have worked closely in complicated evacuation operations, and teams have combined their resources and knowledge in primary and secondary medical care. Similarly, CIS peacekeeping force engineers have assisted UNOMIG on several construction projects by providing heavy lift equipment. In addition, the CIS peacekeeping force has provided the Mission with much-needed military escort along parts of the M-27 road (*see para. 23 above*) and occasional joint patrolling with armoured vehicles has enabled UNOMIG to re-enter the Gali security zone.

VII. SOCIAL AND ECONOMIC ASPECTS

33. The United Nations Resident Coordinator, who is in charge of coordinating United Nations operational activities for development in Georgia, has indicated that United Nations activities in these areas remain as described in my previous report [*ibid., paras. 49-51*].

VIII. OBSERVATIONS

34. Despite the fact that UNOMIG has had to limit its patrolling of the Gali sector because of the continued mine threat, the Mission has been able to implement some of its mandated tasks in the region through its operations in the Zugdidi sector and through its weekly police and quadripartite meetings with both sides. In addition, the Chief Military Observer's decision to authorize foot patrols in the Gali sector, while not placing the observers in harm's way, will assist the mission in re-establishing contacts with the local population and in preparing itself for expanded patrolling once the mine-protected vehicles reach the Mission area.

35. As the Security Council is aware, the parties have agreed to revise and extend the mandate of the CIS peacekeeping force until 31 January 1997, but this decision has yet to be endorsed by the Council of Heads of State of CIS. I shall inform the Security Council of the implications of this decision, if any, on UNOMIG once the modus operandi of the CIS peacekeeping force is known.

36. The peace process continues to be stalled. Neither has there been progress on the question of the return of refugees and displaced persons to Abkhazia, Georgia. I have therefore asked my Special Envoy to visit the region from 8 to 10 October 1996 in order to assess the situation with representatives of both sides and with the Russian Federation, in its capacity as facilitator. Following his visit to the region, and based on his assessment of the situation, I will consider what steps could be taken by the United Nations to reinvigorate the peace process.

ANNEX

Composition of the United Nations Observer Mission in Georgia at 4 October 1996

Country	*Military observers*
Albania	1
Austria	4
Bangladesh	8
Cuba	3
Czech Republic	5
Denmark	4
Egypt	5
France	5
Germany	8
Greece	3
Hungary	6
Indonesia	6
Jordan	5
Pakistan	8
Poland	5
Republic of Korea	4
Russian Federation	2
Sweden	8
Switzerland	5
Turkey	5
United Kingdom of Great Britain and Northern Ireland	9
United States of America	4
Uruguay	4
Total	**117**[a]

[a] The number of military observers may vary owing to rotations.

DOCUMENT S/1996/847

Letter dated 11 October 1996 from the representative of the Republic of Korea to the President of the Security Council

[*Original: English*]
[*11 October 1996*]

I have the honour to transmit herewith the text of the resolution adopted by the National Assembly of the Republic of Korea on 23 September 1996 concerning the recent infiltration of armed commandos of the Democratic People's Republic of Korea by submarine into the territory of the Republic of Korea.

I would be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) PARK Soo Gil
Permanent Representative of the
Republic of Korea
to the United Nations

ANNEX

Resolution on the military provocation of North Korea towards the Republic of Korea

The National Assembly of the Republic of Korea,

Condemning the recent infiltration of North Korean commandos into the Republic of Korea by submarine off the coast of Kangnung, despite the consistent policy of peace by the Republic of Korea towards North Korea,

Convinced that such infiltration through a military vessel is totally unacceptable not only as an act of espionage, but also as clear military provocation against the Republic of Korea,

Noting that North Korea persists in its anachronistic goal of communizing the Korean Peninsula by force,

Through a supra-partisan consensus and with the support of the entire Korean people, unanimously resolves to:

1. *Take the lead* in efforts to strengthen national defence in order to firmly respond to any military threat or provocation by North Korea;

2. *Call upon* the Administration to do its utmost to deter North Korean acts of military provocation, uncover North Korean agents covertly operating in the Republic of Korea and root out other subversive elements seeking to foment social unrest;

3. *Urge* the Administration to take immediate measures to strengthen national defence preparedness for a prompt and thorough response to any future infiltration by North Korean armed commandos, thereby redoubling the confidence of the people in their Government and armed forces;

4. *Call upon* the international community to take a serious view of the Korean situation where the legacy of the cold war still persists and of the stability and peace in East Asia which are constantly threatened by North Korea and to closely cooperate with the Republic of Korea in restraining North Korea from further acts of provocation;

5. *Urge North Korea once again* to abandon its irrational goal of communizing the Republic of Korea by force, immediately cease acts of provocation and respond positively to our initiatives to build a genuine national community on the Korean Peninsula; and

6. *Express its sincere appreciation* to the Korean people for their strong sense of civic duty towards the preservation of a free and democratic society by working closely with the government authorities during this incident, and reaffirm its commitment to the efforts to consolidate such national resolve.

DOCUMENT S/1996/848

Note by the Secretary-General

[*Original: English*]
[*11 October 1996*]

1. The Secretary-General has the honour to transmit to the Security Council a report submitted by the Executive Chairman of the Special Commission, established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991).

2. The present report is the second report by the Executive Chairman of the Special Commission following the adoption of Security Council resolution 1051 (1996) of 27 March 1996, in which, in paragraph 16, the Council called for the consolidation of the reports required under the Council's resolutions 699 (1991) of 17 June 1991 and 715 (1991) of 11 October 1991. It covers the period from 11 April to 11 October 1996.

3. The Commission's 19 previous regular six-monthly reports are: S/23165, S/23268, S/23801, S/24108, S/24661, S/24984, S/25620, S/25977, S/26684, S/26910, S/1994/489, S/1994/750, S/1994/1138, S/1994/1422 and Add.1, S/1995/284, S/1995/494, S/1995/864, S/1995/1038 and S/1996/258.

ANNEX

Report of the Secretary-General on the activities of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of resolution 687 (1991)

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I. INTRODUCTION

1. The present report is the second report by the Special Commission following the adoption of resolution 1051 (1996) of 27 March 1996. It is a consolidated report addressing all aspects of the Commission's work, under resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1051 (1996) of 27 March 1996 and 1060 (1996) of 12 June 1996.

2. The report covers the period from 11 April to 11 October 1996. During the period, the Executive Chairman of the Commission, at the request of the Security Council in its presidential statements of 14 June [*S/PRST/1996/28*] and 23 August [*S/PRST/1996/36*], provided ad hoc reports on the results of his visits to Baghdad in June and August of 1996. The reports of these visits have been issued as documents of the Council [*S/1996/463 and S/1996/714, respectively*]. In addition, the Chairman briefed the Council in June, July, August and September on developments in the Commission's work.

3. The Commission has continued with the implementation of the mandate laid down in resolution 687 (1991) and subsequent relevant resolutions. That mandate has two specific parts: firstly, the identification and disposal of all chemical and biological weapons and all stocks of agents and related subsystems and components and all research, development, support and manufacturing facilities, as well as all ballistic missiles with a range greater than 150 kilometres and their related major parts and repair and production facilities; and secondly, the creation and operation of a system of ongoing monitoring and verification of Iraq's compliance with its obligation not to reacquire the proscribed items. Furthermore, the Commission continues to discharge its responsibilities in the nuclear field in collaboration with the International Atomic Energy Agency (IAEA).

4. The Commission has vigorously pursued both its major tasks in the period under review. On the first, significant progress has been achieved but some important problems remain unsolved. With respect to the second task, the system of ongoing monitoring and verification is in place and functions effectively. The Commission continues to make refinements in the light of operational experience. The full implementation of resolution 1051 (1996), on the export/import monitoring mechanism, will provide the Commission with another layer in its monitoring. The Commission's activities in Iraq have met serious obstacles. Nevertheless, with strong support of the Security Council and through contacts between the Executive Chairman and the Deputy Prime Minister of Iraq, these problems have been addressed. A significant development in this context has been the agreement between the Commission and Iraq on a joint statement and a joint programme of action of 22 June 1996.

II. ACHIEVEMENTS AND ISSUES

5. The Special Commission has been in existence for more than five years. During that period it has recorded significant progress that is often overlooked. In order to provide the Security Council with the full picture necessary for it to make its determinations relating to section C of resolution 687 (1991), the Commission's reports have frequently highlighted the goals that have yet to be achieved and to the problems encountered in doing so. In the present report, the Commission has decided to include a summary of what has been accomplished over the last five years, together with an account of the difficulties encountered and what remains to be done.

6. It should be recalled that under the terms of resolution 687 (1991), Iraq was required to accept the unconditional destruction, removal or rendering harmless, under supervision by the Commission, of all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities; all ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities. Under the terms of the resolution Iraq was required to submit to the Secretary-General, within 15 days of the adoption of the resolution on 3 April 1991, a declaration of the locations, amounts and types of all items specified, and agree to urgent on-site inspection. The Commission was created to carry out immediate on-site inspection of Iraq's biological, chemical and missile capabilities based on Iraq's declarations and the designation of any additional locations by the Commission itself. Iraq was to yield possession to the Commission of all proscribed items mentioned above for destruction, removal or rendering harmless by the Commission. All elements of this mandate are not yet completed. Important in this context is the fact that Iraq, in August 1995, officially admitted that it had hitherto concealed important information from the Commission and IAEA. This admission clearly establishes that the responsibility for the delays rests squarely on Iraq's shoulders. Only recently, in June and July 1996, over five years after the adoption of resolution 687 (1991), has Iraq provided the Commission with what it states to be its formal and official declarations of full, final and complete disclosure (FFCD) in the chemical, biological and missile fields which were called for in resolutions 687 (1991) and 707 (1991). The Commission will need to verify these declarations fully.

A. *Chemical area*

7. The Commission has accomplished the destruction of large quantities of Iraq's chemical weapons stock. The planning for the creation of a chemical destruction group (CDG) started in the summer of 1991 with the establishment of an advisory panel composed of international experts on chemical warfare agent destruction issues. Fact-finding missions visited Iraq to survey the extent and state of its chemical weapons arsenal. Meetings of international experts were held in New York to review the results of the missions and to make recommendations on how the arsenal might be destroyed.

8. All chemical weapons destruction was carried out at the Muthanna State Establishment, Iraq's primary chemical weapons facility, with one exception. Some munitions found at the Khamissiyah arms depot in October 1991 were judged too dangerous to move. Therefore, they were destroyed *in situ* during February/March 1992. The destruction of all other agent and munitions took place at Muthanna from June 1992 to May 1994. The work was carried out often in extremely harsh and dangerous physical conditions including the presence of chemical warfare agent, precursors, leaking munitions and unexploded ordnance. Appropriate standards of health and safety were maintained. During the period, the Commission supervised the destruction of over 480,000 litres of live chemical weapons agent, 28,000 chemical munitions and approximately 1.8 million litres, and over 1 million kilograms of some 45 different precursor chemicals. A variety of equipment was also rendered harmless.

9. For the destruction mission the Commission was required to design two special facilities—a hydrolysis unit and an incinerator—for the disposal of the agents and precursors. Iraq contributed to the process by constructing the two facilities, using in many cases equipment that had itself

been used in the chemical weapons programme. It was necessary to put in place a complete destruction programme in a very limited time. The process had to take into account the technological resources available locally. Moreover, urgent action was required given the unsafe state of the stockpile at Muthanna, which posed environmental concerns. The destruction of the chemical weapons stocks benefited from steady and good cooperative support by the Iraqi authorities and the personnel involved. The Muthanna site was cleaned up in the process to ensure that it was free of contamination and significant chemical hazards.

10. With the execution of this programme, the Commission has destroyed chemical weapons economically within a limited budget of time and resources, taking into account public safety and health standards. In carrying out this unique destruction programme, the Commission was aided by more than 100 specialists provided to the Commission from 25 States.

11. The Commission has, through the process of inspection, interviews, seminars and information provided by supporting States and its own internal analytical capabilities, been able to increase its understanding of the scope and extent of the chemical weapons programme. As a result, Iraq has been required to expand greatly its own account of the programme when confronted with clear evidence from the Commission that it has not fully disclosed all of its chemical weapons efforts. Its declarations on its programmes have grown from 88 pages submitted in 1992, to 440 pages provided to the Commission on 22 June 1996.

12. The Commission now has a fundamental understanding of the earlier tactical chemical weapons programmes. However, the most technologically advanced or modern elements remain unaccounted for.

B. *Biological area*

13. From the time of its first biological inspection in August 1991, the Commission had been concerned that Iraq had pursued a biological weapons programme. Iraq consistently and emphatically denied that it had undertaken any proscribed biological warfare related activity. In autumn 1994, a thorough review was conducted by the Commission of all information and data obtained through inspections, technical talks with Iraq and interaction with supporting Governments. This included an attempt to create a material balance of equipment and complex growth media acquired by Iraq. The review reinforced the suspicion that the Al Hakam factory was a biological warfare agent production facility and that other sites were also involved in a biological weapons programme. Based on the results of that review, inspections, including interviews with more than 50 Iraqi personnel, were carried out. These enabled the Commission to arrive at a firm assessment that Iraq's declarations in the biological area at that time were fundamentally wrong and misleading as it was attempting to hide a full-scale biological warfare programme, including weaponization. The Commission came to the unequivocal conclusion that Iraq had in fact produced biological weapons, that its biological programme was offensive in nature, that Al Hakam had been constructed as a dedicated biological warfare agent research and production facility and had been operational before January 1991, and that additional sites, including Muthanna, a known chemical weapons establishment, were involved in the programme. The Commission confronted Iraq in February 1995 with these assessments.

14. In response, Iraq continued to deny flatly and categorically any biological weapons activities. After intensive inspection efforts and accumulation of further findings by the Commission, on 1 July 1995, it finally admitted to having had an offensive biological weapons programme. However, weaponization was still denied. The weaponization and the broader scope of the biological warfare programme was disclosed only in August 1995, after the departure from Iraq of Lieutenant-General Hussein Kamel, former Minister of Defence and Minister Supervisor of the Military Industrialization Corporation.

15. After the admission that Al Hakam was the main biological warfare agent production facility, the Commission decided on its destruction. In May/June 1996, a Commission team (UNSCOM 134/BW 31) supervised the destruction of the extensive buildings, equipment and materials. All structures and equipment at Al Hakam, except for a few items, were explosively demolished and the remnants were buried. The equipment at Al Manal and Al Safah, two other known facilities that had been used in the proscribed programme, was transported to Al Hakam and destroyed there. The air handling system for high containment at Al Manal was inactivated. The growth media purchased for the proscribed activities was also destroyed.

16. The Commission has succeeded in uncovering the existence of Iraq's biological programme and believes it has destroyed its major facilities. However, it needs to continue to investigate the scope and extent of the programme to arrive at a complete picture of it.

C. *Missile area*

17. Over the last five years, the Commission has made considerable progress in the identification and the elimination of Iraq's proscribed missiles and capabilities. As a result of its initial declarations in April/May 1991, the Commission supervised the destruction of its declared 48 operational missiles, 14 conventional warheads, 6 operational mobile launchers and other support equipment and materials in early July 1991. The destruction of the initially declared proscribed missile production tools, equipment and some facilities was carried out by April 1992. The destruction of the initially declared 30 missile chemical warheads was completed in April 1993.

18. Through the Commission's inspection efforts, a number of undisclosed proscribed weapons, equipment and items retained by Iraq were also uncovered. In March 1992, Iraq disclosed that it had concealed from the Commission the greater part of its operational missile force (85 operational missiles, over 130 warheads, both conventional and chemical, 8 operational mobile launchers and missile force support equipment) and a significant amount of other proscribed items and materials. These were alleged to have been unilaterally and secretly destroyed in late July 1991, without allowing the Commission to supervise the destruction, as required by resolution 687 (1991). Since March 1992, the Commission has been able to verify a number of these weapons and items as destroyed, although a full accounting has not been possible. Iraq claimed that the unilateral destruction operations had not been fully documented or recorded.

19. The Commission continued to have concerns that not all proscribed items had been disclosed and that involvement of dual-use items in proscribed activities was concealed. For example, Iraq had consistently denied that specific production equipment had been procured for, or used in, proscribed activities. Since 1993, the Commission has spent a considerable amount of effort in order to ascertain the true purpose for the acquisition and use of this equipment. By early 1995, the Commission accumulated enough evidence that fully validated its concerns and a decision was taken to destroy or render harmless relevant pieces of equipment. This operation was completed in July 1995, under strong protest from Iraq. In November 1995, it finally acknowledged that the equipment destroyed or rendered harmless by the Commission had indeed been specifically procured for and used in proscribed activities.

20. The Commission has identified specific instances of Iraq's activities since 1991 that are in violation of the relevant Security Council resolutions. The Commission collected firm evidence that Iraq had been receiving proscribed Scud missile gyroscope components up to the autumn of 1991. This was admitted in December 1994. In a separate instance, a partial shipment of proscribed advanced missile gyroscopes was intercepted en route to Iraq in 1995. A supplier and the procurement network were also identified. After the initial denial of its involvement in the acquisition of these components, Iraq acknowledged the receipt of some of the items and claimed their unilateral destruction. A follow-up joint investigation by the Commission and the Government of Iraq was initiated. Through this cooperative effort, many aspects were clarified. The Government provided to the Commission a substantial amount of documentation and granted access to personnel involved in the case. The Commission is in the process of verifying information provided by the Government. It is regrettable that Iraq is still withholding a positive response to the Commission's request for further specific documentation related to the case.

21. Iraq now admits that its initial declarations after the adoption of resolution 687 (1991) and its first full, final and complete disclosure in the missile area submitted in May 1992 were not complete and that important information had been concealed. Even before this admission, the Commission had uncovered a number of elements of concealed missile activities. These involved projects for the acquisition and production of standard and advanced missile propellants, missile testing activities, projects dealing with missile computer simulations and telemetry, and efforts related to acquisition—either through indigenous production or import—of proscribed longer-range missiles. The Commission also collected evidence of undisclosed acquisitions of important proscribed missile components from a number of suppliers. Many of these issues are now reported by Iraq in its current official FFCD submitted in July 1996.

22. While the Commission has completed a major portion of its task in the missile area, Iraq still has not fully accounted for all proscribed weapons, items and capabilities. Until it provides a substantiated accounting that the Commission would be able to verify, concerns will continue to exist that Iraq is withholding proscribed weapons, items and information on proscribed activities, including documentation.

III. RECENT DEVELOPMENTS

A. *Relations with Iraq*

23. In its April 1996 report [*S/1996/258*], the Special Commission noted that it had not completed its task of identifying stocks of proscribed weapons, components and related facilities and destroying them. It also concluded that relatively minor, but highly significant, quantities of proscribed items remained unaccounted for. The Commission has continued to conduct inspections in the implementation of its mandate. In doing so, it has encountered considerable problems brought on by Iraq's failure to meet its obligations in full.

24. It should be recalled that the various instruments pertaining to the Commission's rights—resolutions 687 (1991), 707 (1991), 715 (1991), 1051 (1996) and 1060 (1996), as well as the exchange of letters of May 1991—provide for unrestricted freedom of movement without advance notice within Iraq of the personnel of the Commission and the right to unimpeded access to any site or facility for the purpose of on-site inspection. The Commission has the right to request, receive, examine and copy any record, data or information relevant to the Commission's activities and to conduct interviews. The Commission's rights include the right to take photographs, whether from the ground or from the air, relevant to the Commission's activities. Iraq is obliged to ensure the security and safety of the Commission and its personnel. In the period under review, many of these rights and privileges have been infringed upon or denied. This slows down the process of the implementation of the Commission's mandate and only increases the concern that Iraq may still be engaged in proscribed activities.

25. Following the presentation of the Commission's April 1996 report, the Chairman travelled to Baghdad three times for discussions. During his first visit, in April, the Chairman held meetings with Lieutenant-General Amer Rashid, Minister of Oil, and Mr. Tariq Aziz, Deputy Prime Minister, on 18 and 19 April, respectively. He stressed that he felt that outstanding issues were solvable and explained that this was why he had issued an invitation in paragraph 119 of the April 1996 report to put outstanding issues into a structure so that they could be tackled jointly through a programme of action. The Chairman also proposed that the two sides establish a regular series of meetings. While these proposals were not rejected, there was no clear acceptance.

26. An inspection team, UNSCOM 150, was sent to Iraq in the first part of June 1996 to search for proscribed items and documentation relevant thereto. The inspection team was blocked at a number of sites, with Iraq claiming that it could not allow access because the sites were related to its national security.

27. The Chairman reported the events involving denial of access to the Security Council. The Council acted by unanimously adopting resolution 1060 (1996) on 12 June 1996. In the resolution the Council emphasized the importance it attached to full compliance by Iraq with its obligations, under resolutions 687 (1991), 707 (1991) and 715 (1991), to permit immediate, unconditional and unrestricted access to any site which the Commission wished to inspect. The Council deplored the refusal of Iraq's authorities to allow access to sites designated by the Commission. It termed Iraq's actions a clear violation of the provisions of the Council's resolutions and demanded that Iraq cooperate fully with the Commission in accordance with the relevant resolutions.

28. On 13 June 1996, UNSCOM 150 attempted to inspect other sites. Despite the adoption of resolution 1060 (1996), the Iraqi authorities refused access to the inspection team. The Chairman briefed the Security Council, which reacted by adopting a presidential statement [*S/PRST/1996/28*] condemning the failure of Iraq to comply with resolution 1060 (1996). It again demanded that Iraq comply with the relevant resolutions of the Council and, in particular, allow the inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wished to inspect. The Council also requested the Chairman to visit Baghdad as soon as possible with a view to securing access to all sites which the Commission wished to inspect and to engage in a forward-looking dialogue on other issues under the Commission's mandate. It further requested the Chairman to report immediately afterwards on the results of his visit and on the impact of Iraq's policies on the mandate and work of the Commission.

29 The Chairman visited Baghdad from 19 to 22 June 1996. A report on the visit by the Chairman was presented to the Council on 24 June, both orally and in writing [*S/1996/463*]. During the visit the Chairman met the Deputy Prime Minister, Mr. Tariq Aziz. The Chairman stated that his mandate required him to obtain from Iraq the assurances regarding access demanded by the Council. The Deputy Prime Minister stated that Iraq would continue to cooperate with the Commission. However, he had been concerned that the sites selected for inspection by the Commission involved issues of sovereignty and national security. The Chairman assured the Deputy Prime Minister that the Commission had always fully respected Iraq's sovereignty and legitimate security concerns in the conduct of its operations. The Chairman discussed with the Deputy Prime Minister the question of inspections of sites that Iraq considered sensitive on the grounds of its sovereignty and national security. The Chairman informed the Deputy Prime Minister of his intention to issue modalities for the inspection of sensitive sites. Those sites—very limited in number—would be inspected under special procedures which would take account of Iraq's legitimate concerns regarding its security without endangering the objectives of the inspection, and at the same time fully safeguarding the rights and the status, privileges and immunities of the Commission.

30. At the conclusion of the visit by the Chairman, a joint statement was agreed and signed on 22 June 1996. In the joint statement, the Government of Iraq reiterated its commitment to continue its cooperation with the Special Commission and IAEA in carrying out its obligations in accordance with Security Council resolution 687 (1991) and other relevant resolutions and undertook to secure immediate, unconditional and unrestricted access to all sites which the Commission or IAEA might wish to inspect. Being guided by the commitment of States Members of the United Nations to the sovereignty, territorial integrity and independence of Iraq, the Commission undertook that, in carrying out its mandate and exercising its rights under the relevant resolutions of the Security Council, it would operate with full respect for the legitimate security concerns of Iraq. The Commission and Iraq agreed to intensify their work with the aim of making it possible for the Commission to report as soon as possible to the Council that Iraq had met its obligations under section C of resolution 687 (1991). The two sides agreed that this process would be helped through the conduct of regular meetings at the political level every two months in Baghdad. Such meetings could devote attention to fundamental issues, review the progress and direct any further efforts necessary to achieve the objectives. The full text of the joint statement is contained in the Chairman's report of the visit [*ibid., annex, para. 13*].

31. During the visit, a joint programme of action was also agreed between the two sides. This had originally been called for in the Commission's

April 1996 report. It focuses on Iraq's full, final and complete disclosures and the means and techniques of verifying them. As a priority and to accelerate verification, both sides agreed to concentrate their work on fundamental areas: the material balance of proscribed weapons and their major components, the unilateral destruction of proscribed items, the further provision of documentation and the identification of measures used to retain proscribed items.

32. At the end of the visit on 22 June, Iraq handed over its declarations containing full, final and complete disclosures in the chemical and biological areas as called for in the relevant Security Council resolutions. It undertook to provide shortly the missile declaration, and did so on 2 July.

33. In keeping with the joint programme of action, a team commenced the verification of the biological FFCD on 1 July 1996. In the absence of sufficient documentary information to back up many statements in the FFCD, it was necessary to undertake a number of interviews with personnel involved in the proscribed programmes. This technique, agreed to in the joint programme of action, is essential if the Commission is to report on Iraq's compliance with resolution 687 (1991). The team encountered difficulties in getting access to personnel and in the conduct of interviews. The Iraqi side stated that it would select the persons to be interviewed and lay down the guidelines for the conduct of such interviews. It is clear to the Commission that such conditions undermine the value of interviews as a tool for verification. The refusal to accept the Commission's format for meaningful interviews caused the Chairman to decide to withdraw the team from Iraq on 3 July. An exchange of letters between the Chairman and the Deputy Prime Minister failed to resolve the issue satisfactorily. The Chairman wrote again to the Deputy Prime Minister stating that the process of verification of the FFCDs would not go forward in the absence of an understanding on interview procedures. The Iraqi side made it known that it would respond to the questions outlined in the Chairman's letters when the Chairman was next in Baghdad in August for the bimonthly meeting.

34. A renewed attempt was made in July to resume the inspection effort which had earlier been blocked. A further inspection team was sent to Iraq on 15 July, again on a search for prohibited items and related documentation. Following the undertakings in the joint statement, the Commission had hoped that Iraq would, in conformity with its obligations, secure the Commission's team immediate, unconditional and unrestricted access to sites it wished to inspect. Unfortunately, it failed to do so. The team was blocked as it tried to proceed on a road leading to an inspection site. Iraq claimed that the route passed through "presidential areas" and formally stated that the team would not be allowed to continue. The Chairman briefed the Council on those events on 17 July.

35. The team encountered similar blockages when it tried once again to reach the same site on 18 July. It became clear that, despite its obligations, Iraq had no intention of allowing the team to proceed with the inspection. As a result, on 19 July, the Chairman terminated the mission and briefed the Security Council. In the course of the informal consultations, the Chairman was instructed to contact the Deputy Prime Minister to determine the reasons for Iraq's behaviour. The President of the Council summoned Iraq's Permanent Representative to express the Council's concern and similarly ask for an explanation of Iraq's actions.

36. The Chairman sent a message to the Deputy Prime Minister on 19 July 1996 and spoke to him on 20 July. The Deputy Prime Minister explained that Iraq had the intention to adhere to its commitments and would continue to do so. He argued that there had been confusion on both sides during the inspection. Although the mission had been terminated, the Deputy Prime Minister offered to facilitate a visit to the site the team had wished to inspect and indicated that he himself would be present. The Chairman decided that an ad hoc team should be formed to follow up on this offer and a visit to the site was arranged on 21 July, albeit not in conformity with the Commission's standard procedures for an inspection.

37. In May, July and August, special teams were sent to investigate Iraq's activities of concealment of proscribed items and related documents. Details of the Commission's investigations are provided in paragraphs 49 to 57 below.

38. On 23 August, the Security Council adopted a Presidential statement on the eve of the Chairman's departure for Baghdad. The statement [*S/PRST/1996/36*] termed Iraq's behaviour a gross violation of its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991), as well as a contradiction of its commitments under the joint statement. The presidential statement underlined the importance of the Commission's inspection teams and demanded once again that they be given immediate, unconditional and unrestricted access to all areas, facilities, equipment, records and means of transportation which they wished to inspect and Iraqi officials whom they wished to interview so that the Commission could fully discharge its mandate. The Council reminded the Government of Iraq that only full compliance with its obligations under the relevant resolutions would enable the Chairman of the Commission to present a report in accordance with section C of resolution 687 (1991) regarding Iraq's weapons of mass destruction and related production facilities. The Council also strongly reaffirmed its full support for the Commission in the conduct of its inspections and the other tasks entrusted to it by the Council.

39. On 26 August, the Chairman arrived in Baghdad for further discussions with the Deputy Prime Minister in accordance with the provisions of the joint statement. During the meetings, which concluded on 28 August, the Deputy Prime Minister declared Iraq's intention to observe the terms of the joint statement and to implement in full the joint programme of action. The two sides discussed, in depth, methods and approaches for interview procedures and arrived at important undertakings. Furthermore, useful and practical ideas on how to avoid repetitions of the serious incidents in relation to inspection activities were discussed and some arrangements were agreed upon.

40. The Deputy Prime Minister stated formally that the Government of Iraq did not conceal any prohibited weapons, components or related documentation. The Chairman, however, expressed concern at Iraq's failure so far to disclose fully its proscribed activities and provide a credible accounting of its holdings of proscribed items and the disposal thereof. The Chairman stated that under resolution 687 (1991) all proscribed weapons should be fully accounted for and destroyed. Any long-range missile, particularly if equipped with a warhead containing biological or chemical warfare agent, would be a matter of great significance for peace and security in the region.

41. During the visit, the Chairman raised the fact that Iraq had still not enacted the national implementation measures required under the monitoring plan. The Deputy Prime Minister responded that this was Iraq's responsibility and that he would handle it. He gave no indication of any timeframe for enacting the measures. The Commission is concerned that Iraq has not taken the necessary steps in this respect. As long as these measures are not introduced or seen to be realized in practice, an impediment in implementing resolution 687 (1991) will remain.

42. Following the Chairman's return to New York, he presented a written report [*S/1996/714*] and gave an oral briefing to the Council. The August visit, as an element in the implementation of the process established under the joint statement and the joint programme of action, was highly useful. It showed that on a political level, a framework had been established for the speedy implementation of the Commission's mandate.

43. Dr. Riyadh Al-Qaysi, the Under-Secretary of the Iraqi Ministry of Foreign Affairs, called on the Chairman on 11 September during a visit to New York. They continued the discussions which the Chairman had had with the Deputy Prime Minister in August in Baghdad. In addition, they addressed the question of current air operations in Iraq. The Under-Secretary renewed earlier assurances that Iraq would not interfere with the Commission's flight operations.

44. The Deputy Executive Chairman paid a visit to Baghdad from 29 September to 3 October. During his visit he held discussions with Lieutenant-General Amer Rashid, the Minister of Oil, and, on the instructions of the Chairman, provided an initial assessment of the first round of missions to verify the FFCDs recently submitted to the Commission.

45. Much of the discourse on the Iraqi side amounted to personal attacks on the Deputy Executive Chairman and did not address the matters at hand. It is not the first occasion on which Iraq has endeavoured to discredit

and intimidate members of the Commission and its personnel. Such attacks are counter-productive and inconsistent with Iraq's statements that it would cooperate in overcoming the remaining tasks.

46. On Friday, 4 October 1996, the Chairman met the Foreign Minister of Iraq, Mr. Mohammed Said Al-Sahaf. During the meeting, they discussed the points raised by the Minister during his intervention in the general debate in the General Assembly on 2 October.

47. They also discussed the Foreign Minister's 7 September 1996 letter to the Secretary-General in which Iraq repeated an allegation that the Commission was being exploited by the United States of America and was being used to gather military and intelligence materials which would be directed against the security of Iraq. The Chairman refuted these baseless allegations. He noted that the Russian authorities had denied that the remarks attributed to an unnamed representative of the Intelligence Service by the Interfax News Agency represented the official position of the Russian Government. The Foreign Minister simply said that Iraq had the right to use any materials in support of Iraq's position. The Chairman responded that Iraq's conduct in this matter called into question its often stated willingness to cooperate with the Commission.

48. The Chairman stressed the Commission's intention to continue with the implementation of the joint programme of action, this being the most effective manner in which to proceed. The Foreign Minister said that Iraq would cooperate to the maximum but that it expected the same from the Commission. The Chairman confirmed that the Commission had every intention of doing so, as it had done over the last five years.

49. Since its inception, the Commission has carried out numerous inspections aimed at locating proscribed items and related documentation and has urged Iraq to provide full and complete disclosures of its holdings and disposal of proscribed materials. The Commission has also investigated issues related to concealment activities of proscribed items.

50. On 8 August 1995, Lieutenant-General Hussein Kamel, the former head of the Military Industrialization Corporation (MIC), an organization responsible for the development and manufacture of proscribed weapons, departed for Jordan. In the aftermath of that event, the Commission was able to bring under its control a massive amount of documentation and material directly linked to proscribed programmes. This had been hidden inside Iraq since the autumn of 1991 and had been turned over to the Commission at a final hide-site, a so-called "chicken farm" at Haidar, on 20 August 1995. The very existence and concealment of these materials over four and one half years validated the Commission's concerns about the existence of a mechanism used to collect and transport these items and to establish a network of hide-sites and provide logistical support for this clandestine operation. Iraq, however, asserts that there was no systematic mechanism of concealment on the part of the Government of Iraq.

51. Since early 1996, the Commission has undertaken a series of inspections which specifically targeted sites which it believed to be associated with concealment activities. The first of such inspections, UNSCOM 143, took place between 8 and 18 March 1996. The events and results of that inspection were presented in the Commission's report of April 1996 [*S/1996/258*]. In May 1996, the Commission dispatched a team to conduct interviews with Iraqi officials believed to be involved in the concealment activities. The initial focus of this investigation centred around the circumstances surrounding the collection and hiding of the documents and material at the "chicken farm". Iraq admitted that an organized campaign had been carried out between mid-1991 and March 1993 to collect important documentation primarily related to technological know-how available in Iraq for the design and manufacture of weapons of mass destruction. Those documents were handed over by the facilities involved to representatives of the security organizations for long-term storage and concealment. Iraq explained that the documents from the "chicken farm" on 20 August 1995 had constituted only a portion of concealed documentation, with the rest having been burnt just a few days prior to 20 August, at another farm west of Baghdad.

52. Despite every effort by the Commission to define clearly the scope and procedures of this investigation, including due regard for Iraq's legitimate security concerns, Iraq abruptly terminated its cooperation without allowing the team to proceed with its investigation of the involvement of Iraq's security organizations in the concealment activities. This move was made despite the early admission that officers from the Special Republican Guard had been carrying out the collection, safekeeping and protection of the "chicken farm" documents between September 1991 and August 1995. Iraq stated that there had been no involvement of the special security organizations in concealing the "chicken farm" documents, or any other material, from the Commission. It claimed that the entire matter had been controlled by Lieutenant-General Hussein Kamel alone, and that, in executing his programme of concealment, he had initially made use of the MIC internal security department, and later enlisted the services of only two Special Republican Guard officers, both of whom came from the protective unit, assigned to him. When asked how, under these circumstances, the Government had come to know of the documents at the "chicken farm", it was claimed that the tip-off had been received only a day prior to the turning over of the material to the Commission on 20 August 1995, and that this tip-off had come to the Government from a "girlfriend" of Lieutenant-General Hussein Kamel. This implausible story was later retracted by the Government (*see para. 56 below*).

53. Following the failure of Iraq to cooperate with the May mission, the Commission undertook an on-site inspection focused on investigating the role of military and security elements in the concealment activities. From 10 to 16 June 1996, the Commission dispatched a team, UNSCOM 150, to inspect a series of sites which were believed to be involved in the concealment of proscribed weapons and material. These sites were associated primarily with the Special Republican Guard and the Republican Guard. Iraq denied the access to four out of six sites designated for inspection, despite the Security Council's demand that Iraq allow immediate, unconditional and unrestricted access. This blockage prompted the termination of the UNSCOM 150 mission on 15 June and a visit by the Chairman to Iraq on instructions from the Council. His talks in Baghdad resulted in the joint statement and joint programme of action on 22 June 1996, *inter alia*, designed to further verification efforts on all outstanding topics, including the issue of concealment measures. This was the first time that Iraq had acknowledged this issue as being a legitimate topic of concern for the Commission and a priority and fundamental issue in the verification process. To facilitate the conduct of inspection activities, the Commission has established specific modalities, as reported above, designed to facilitate immediate access by teams to sites regarded by Iraq as being of a sensitive nature. Iraq specifically identified such sensitive sites as belonging to the Mukhabarat (General Intelligence Service), Amn al Aman (General Security Service), Amn al Khass (Special Security Organization), the Special Republican Guard, and the Republican Guard.

54. Based upon the results of the June visit by the Chairman, an inspection team, UNSCOM 155, was sent on 15 July to continue the work initiated during UNSCOM 143 and 150, as well as to resume interviews of Iraqi officials believed to have been involved in concealment activities. Despite the June assurances to provide immediate, unrestricted and unconditional access to all sites, Iraq denied the team access to routes leading to a site intended for inspection. These blockages, which took place on two separate days (16 and 18 July), prompted the termination of UNSCOM 155 on 19 July. A decision by Iraq to invite a visit to the site on 21 July did not alleviate all the concerns of the Commission. The site turned out to belong to the Special Republican Guard with transportation and communication functions. The Iraqi side acknowledged that certain movements of vehicles in the vicinity of the site could have been construed by the Commission as being of a suspicious nature. According to Iraq, these involved transportation of concrete pillars which, by their dimensions and shape, resembled Scud missiles. The team requested additional information on the timing of the movement, origin and current location of these "Scud-like" objects and indicated the Commission's intent to pursue verification of this issue.

55. Investigation of Iraq's declared concealment activities related to documents and materials from the "chicken farm" was continued during the period from 19 to 22 July. Specific information on the collection, movement, storage and disposal of hidden documents and materials was acquired. Some interviews resulted in the contradiction of previous Iraqi statements concerning both the concealment activities and the role of the

elements for special security. A manager of the "chicken farm" stated that he had informed the Special Security Organization of the presence of boxes at the farm 10 days prior to these boxes with documents being handed over to the Commission on 20 August 1995. However, the Commission has evidence that prevents it from accepting Iraq's current explanation of the "chicken farm" documents.

56. Between 13 and 17 August, the Commission continued its investigation into the issue of concealment activities. A series of interviews with Iraqi officials produced clear evidence of additional substantive involvement by the Special Republican Guard officers in previously undeclared concealment activities. This time concealment involved the most important production tools and proscribed components from all major missile projects. Iraq also admitted that its earlier statement concerning the events surrounding the turning over of the documents to the Commission in August 1995 (the "girlfriend" story) was in fact a fabrication, and that Iraq's representative had been instructed by the Government to provide misleading information to the Commission in order to prevent any further investigation into the involvement of special security personnel in concealment activities. Evidence of suspicious activity was also presented to Iraq. This included the movement of convoys during periods when inspection teams were delayed or denied access. The inspectors sought to inspect the site visited on 21 July. Again, the team was delayed. The Iraqi authorities denied the use of an UNSCOM helicopter for overflight of the site for the purpose of establishing security of the site. Contrary to its undertakings, the authorities allowed the movement of vehicles, resulting in at least two Iraqi vehicles departing the area prior to the inspection team being granted access. The Iraqi side refused to continue discussions of the issue of suspicious vehicular movement. Furthermore, Iraq refused to provide access to the "Scud-like" objects that were stated to be involved in such movement. The high-level representative, Lieutenant-General Amer Rashid, made a statement in which he attempted to place the issues of suspicious vehicle movement and at least some other elements of concealment activities off-limits to the Commission's further investigations. He asserted that Iraq would not allow further inspections or interviews related to these issues.

57. The results of the Commission's investigations, starting with UNSCOM 143 in March 1996 and continuing through August, clearly show that there was an organized mechanism of concealment used by Iraq to deny access to proscribed documents and material retained since the adoption of resolution 687 (1991). Throughout this investigation Iraq has sought to deflect or minimize the involvement of its special security services in concealment activities. It has acknowledged that officially sanctioned false statements had been made to mislead the Commission in its investigations. It has resorted to delays and denials of access to sites designated by teams investigating concealment activities. Despite this behaviour, the Commission has accumulated information which reinforces its assessment that the concealment mechanism has been established for the purpose of hiding and protecting proscribed material. Furthermore, the investigation has revealed deficiencies in Iraq's declarations concerning unilateral destruction of proscribed weapons, items and related documentation. The Commission intends to pursue all aspects of its investigation of concealment activities.

B. *Ongoing monitoring and verification*

58. Pursuant to resolution 715 (1991) and the plan approved thereby, the Commission has designed and established a comprehensive monitoring system in Iraq which has been fully operational for one and a half years. It consists of resident inspectors, real-time monitoring cameras, chemical sensors, aerial inspections, and now the export/import system. The Commission maintains regular monitoring of over 250 sites. Inspectors have made hundreds of inspections of these sites and conducted regular discussions with the Iraqi side concerning monitoring requirements and activities. The system continues to operate effectively.

59. The Commission has been undertaking an assessment of ways to further improve the effectiveness and coverage of the system. It should be borne in mind that, in the long term, monitoring will be the primary activity of the Commission. The Commission is sensitive to the fact that the procedures and precedents established now will be critical in the future when the embargo and sanctions may be revised and significant commerce and trade is under way. For these reasons, the Commission finds it necessary to be rigorous in its own application of monitoring and in demanding strict adherence to all aspects of the monitoring system by Iraq.

60. The Commission currently has under way an effort to modernize and improve the camera and sensor monitoring system, including measures to facilitate maintenance. The Commission and IAEA are conducting a programme of inspections at locations which are not part of the established monitoring site inventory to determine their possible proscribed capabilities. This has been a useful innovation.

61. For the most part, Iraq has sustained a good level of cooperation in the operation of the monitoring system. However, the Commission has detected lapses in Iraq's compliance with monitoring requirements which indicate a lack of discipline, in particular, in providing the required notifications. The Commission has, in the course of its monitoring activities, come across a significant number of pieces of equipment which are required to be notified. While this is an indication of the successful monitoring efforts through inspections, it also denotes at least negligence on the part of Iraqi counterparts. The Commission has experienced failures and delays in notifications concerning the movement of dual-use equipment and tests of missiles. It believes that action may be necessary to cause better compliance; otherwise monitoring confidence will be degraded.

62. On balance, the Commission is satisfied with its monitoring system and believes it is accomplishing the intended objectives.

C. *Air support*

63. The aerial operations of the Commission have been possible only as a result of the outstanding air support provided by the German Army and Air Force since late 1991. The quality of that support is more than borne out by the five-year accident-free record of the C-160 fixed-wing aircraft and the CH-53 helicopters. The Commission wishes to put on record its appreciation of the major role the Government of Germany has played in supporting the work of the Commission. The Commission also wishes to reiterate its most profound admiration for the personnel of the German Army and Air Force, who have demonstrated their highly regarded and acknowledged professionalism.

64. However, as noted in previous reports of the Commission, the Government of Germany indicated to the Commission over a year ago that it wished to terminate its air support. Without air assets, the Commission simply cannot carry out its mandate. For this reason, the Commission has been actively pursuing replacement air support for several months.

65. As a result of these efforts, the Commission has reached an agreement with the Government of Chile for the provision of a unit of five UH-1H helicopters. The deployment of that unit took place at the beginning of August 1996, allowing for the withdrawal of the German helicopter unit. The first operational flight took place on 20 August 1996. During two months of operation, the Chilean unit has already proved its high professionalism and dedication, even under recent difficult conditions. The Commission wishes to express its recognition and thanks to the Government of Chile for this important contribution.

66. At the same time, the Commission remains engaged in discussions with other Governments for a suitable replacement for the German C-160 aircraft. Although there have been some positive developments in its discussions with one Member State, those discussions have not yet been brought to fruition and the Commission cannot foresee when this replacement might become available. Taking into account the German Government's decision to withdraw its aircraft as soon as possible, the Commission has decided to lease a commercial L-100 aircraft. This aircraft started operations for the Commission on 2 October 1996, allowing for the withdrawal of the last German aircraft. However, the Commission considers this commercial lease arrangement to be temporary and continues to extend every possible effort to obtain the commitment of a Member State to provide two similar aircraft. The Commission does not believe that one aircraft provides suf-

ficient reliability for it to carry out its activities without serious disruption, as has been experienced on several occasions since the German Air Force withdrew its second aircraft at the end of 1995.

67. The Commission's budget now depends exclusively on voluntary contributions. Without the realization of the funding allocated to the Commission under resolution 986 (1995), the leasing of a commercial aircraft diverts a significant amount of the Commission's limited resources from other operational activities. Thus, additional voluntary contributions are required to cover this unexpected expenditure and, at the same time, keep the Commission's inspection activities at the current level.

IV. CHEMICAL ACTIVITIES

A. *Proscribed programmes*

68. In June 1996, Iraq provided the Special Commission with its official full, final and complete disclosure of its past chemical weapons programmes. This was Iraq's third FFCD, the first having been presented in June 1992 and the second in March 1995. As reported above, in August 1995, the Commission came into possession of a large number of documents relating to proscribed weapons programmes, including information related to its chemical weapons. As a result, Iraq was forced to acknowledge the inadequacy of its FFCD of March 1995.

69. The Commission has almost completed its evaluation and analysis of Iraq's chemical weapons related documents obtained in August 1995 and documents excavated from destroyed buildings at the Muthanna chemical weapons facilities by UNSCOM 129 in March 1996. All these documents provide additional opportunities for the Commission to verify several areas of the chemical weapons programme.

70. In May 1996, a Commission team held a seminar in Baghdad with senior Iraqi officials to clarify certain military aspects of the chemical and biological weapons programmes and to receive additional information on the rationale and the time-frame for the production of different agents and munitions. However, during the seminar, Iraq refused to provide more details on the issue of production and munitions and stated that the official chemical and biological FFCDs would be prepared and submitted without any additional discussions with the Commission. This was done on 22 June 1996.

71. To begin the verification of the chemical FFCD, the Commission sent a team (UNSCOM 140/CW 29) to Iraq in August 1996. In accordance with the joint programme of action, this team was tasked to focus on the verification of the critical areas of the FFCD: the material balance of chemical weapons produced in the period 1989-1990, the unilateral destruction thereof and the removal of equipment at the end of 1990 and early 1991 from chemical weapons related sites and its final disposition.

72. The issues chosen for this first verification mission were for the most part based on documents retrieved from Iraq. The Commission has evidence that chemical warfare agents and munitions were produced in 1989. Iraq has consistently denied this. In addition, the Commission believes that production of different types of chemical weapons was also carried out in the first half of 1990. These findings have a serious impact on the material balance of these weapons. Furthermore, the Commission has concerns related to undeclared facilities where equipment from Muthanna was evacuated before January 1991 and the unilateral destruction conducted secretly by Iraq in the summer of 1991, when, among other items, chemical warheads for Al-Hussein missiles and nerve agent VX precursors were allegedly destroyed.

73. In contravention of the joint programme of action, Iraq refused to undertake a serious review of the Commission's concerns during UNSCOM 140. During his visit to Baghdad in late August 1996, the Executive Chairman provided Iraq with documentary evidence that Iraq had produced chemical agents in 1989. This consisted of records of analysis of chemical warfare agents produced during that year.

74. In September 1996, a further verification team (UNSCOM 161/CW 30) visited Iraq to discuss the production issues raised by the Chairman in August. The team provided more documents and evidence. The Iraqi side acknowledged that it would need to address these issues, and on 1 October 1996, Iraq handed over seven letters stating that they should be considered as integral parts of its chemical FFCD. These letters do not fully address the Commission's concerns.

75. After an initial evaluation of Iraq's June 1996 chemical FFCD, the Commission believes that requirements for the full, final and complete disclosure have not been fully met. The Commission believes this FFCD is still incomplete and some of its statements incorrect. Information available to the Commission, including that from Iraq's documents, establishes that not all Iraqi chemical weapons related activities have been disclosed.

76. While the Commission has a good understanding of Iraq's activities in the period prior to August 1988, questions remain concerning developments during the period since then. Iraq's chemical weapons programme spanned a long time period, where different priorities and objectives were followed, and accordingly different needs were involved. Viewed from this perspective, Iraq's efforts should be understood as comprising three different levels of ambition. Iraq has stated that the initial programme was designed to create a massive number of tactical chemical weapons. The next stage, after 1988, aimed at self-sufficiency, integration of the programme into Iraq's chemical industry and production of more stable and storable chemical agents. In its last stage, the programme was aimed at the design and production of strategic chemical weapons. The Commission's understanding of the first and oldest phase of the programme is considerably greater than the understanding of the two more recent periods. Details of the later phases have not been disclosed in the FFCD. The Commission believes that a full understanding of the latter two phases of the programme is absolutely necessary before it has completed its task and is able to verify that nothing remains.

77. The Commission has continued its efforts to verify the FFCD through requests for information from Governments of former suppliers. Not all requests have resulted in responses. In the absence of such information, particularly in respect of large amounts of precursors and munitions delivered to Iraq, the Commission faces serious delays in the verification process. The Commission will continue its efforts and invite supplier Governments to provide the information sought as soon as possible.

78. The remaining problems could be resolved if Iraq were to cooperate fully with the Commission at all levels in the spirit of the joint programme of action.

B. *Monitoring activities*

79. To date, the resident chemical monitoring group has conducted over 350 inspections. The current group consists of 10 inspectors and laboratory technicians with backgrounds in analytical chemistry, process chemistry, explosive ordnance disposal and chemical weapons.

80. Some 115 facilities in Iraq are currently subject to monitoring by the chemical group. These include research and development institutes, universities, munitions and chemical production sites, chemical storage sites and pesticide, fertilizer and petrochemical related facilities with dual-use equipment or chemicals. The chemical teams use remote-controlled sensor systems installed at the most important sites under monitoring. There are at present 30 remote-controlled cameras at 6 chemical sites and 19 air samplers installed at 8 sites.

81. Nine additional air samplers and 10 portable sampling pumps for air sampling at facilities where sensors are not installed are currently available to the chemical monitoring team. To support the on-site analysis requirements, the chemical laboratory at the Baghdad Monitoring and Verification Centre has been equipped with a gas chromatography system with flame photometric detector and a mass selective detector to analyse the air samples. In addition the following equipment has been received by the chemical monitoring group in order to increase its analytical capabilities: a Fourier Transform Infrared Spectrometer, a melting point determination device for laboratory use, an ultrasonic pulse echo system, and two types of hydrazine detection systems. The Spectrometer will be periodically used for air moni-

toring purposes as an immediate screening device at a number of industrial facilities and chemical storage sites.

82. Iraq's civilian chemical activities have increased considerably in the last two to three years. The Commission has undertaken several steps to double the analytical capabilities of its laboratory at the Baghdad Centre.

83. In the period under review, the chemical monitoring group uncovered several failures by Iraq in respect of compliance with the provisions of the Commission's plan for ongoing monitoring and verification. These incidents include finding undeclared dual-use chemicals and equipment. Each particular case was discussed with Iraq's authorities and acted upon by them.

V. BIOLOGICAL ACTIVITIES

A. *Proscribed programmes*

84. Since 1991, Iraq has presented six versions of its full, final and complete disclosure in the biological area. The first declaration of 1991, consisting of a few pages, denied any biological weapons programme or proscribed biological activities. This position was maintained up to and including in its FFCD of March 1995. In July 1995, after repeated statements by the Special Commission that Iraq's declarations were not credible, Iraq for the first time acknowledged an offensive biological weapons programme but still denied weaponization activities and any involvement of the military in the programme. Following the departure to Jordan of Lieutenant-General Hussein Kamel in August 1995, Iraq finally admitted weaponization and that the programme was much broader in scope than previously stated. Iraq incorporated these new disclosures into a draft FFCD submitted to the Commission in November 1995. This draft was assessed by the Commission as seriously flawed and a series of technical talks, seminars and inspections were conducted with the aim of helping Iraq to correct the deficiencies. These discussions resulted in a March 1996 draft and subsequently a May version. Although a number of improvements were incorporated, these declarations failed to provide any significant additional documentation, and in general lacked a coherent account consistent with information available to the Commission.

85. On 22 June 1996, the Government of Iraq submitted a declaration which it stated to contain its official FFCD on the proscribed biological weapons programme. This document of 622 pages was essentially a copy of the May draft. In early July, a biological team (UNSCOM 146/BW 36) began verification of this FFCD. The intent was to conduct, pursuant to the joint programme of action, interviews with personnel who had been involved in the weaponization of biological agents and filling and unilateral destruction of biological warfare munitions. Iraq refused to cooperate under the established interview procedures and the team's mission was terminated. A follow-up inspection scheduled for early August had to be postponed because of Iraq's failure to respond positively to the Commission's requirements for interviews. A subsequent effort to initiate these interviews was undertaken in September, after the visit by the Executive Chairman to Iraq in August. On that occasion, the Iraqi side showed willingness to cooperate with the team (UNSCOM 157/BW 40). The information gained from the interviews proved valuable, although not always in agreement with statements contained in the FFCD.

86. The current assessment is that the biological FFCD as written is not credible. Major sections are incomplete, inaccurate or unsubstantiated. Materials acquired for proscribed activities are understated. Biological warfare agent production figures are unsupported for the years 1987, 1988 and 1989. Expert estimates of production quantities of biological weapons agents, either by equipment capacity or by consumption of growth media, would far exceed declared amounts. Data on weapons field trials are inaccurate. Weapons and agent destruction is undocumented.

87. A lack of documentation to substantiate declarations on the critical areas of biological warfare agent and munitions production, weaponization and destruction is difficult to accept. Until Iraq is able to provide a full accounting of biological weapons produced and destroyed unilaterally, the Commission cannot report that such weapons and their components do not remain.

B. *Monitoring activities*

88. The biological monitoring system currently covers 86 sites. During the reporting period, over 152 visits have been carried out by the resident biological monitoring team.

89. The remote monitoring system, including cameras and sensors, is available for application. Three biological sites are currently equipped with some 10 cameras but more cameras will be added shortly to an additional 4 sites. Both real-time images and stored image videotapes are analysed and the information is integrated into the overall monitoring process.

90. In addition to monitoring teams, special inspection teams were also used to carry out inspections of critical sites under monitoring. Sampling operations were conducted. A mission to update remote monitoring surveillance has been performed. The objectives of these additional efforts were to undertake in-depth surveys of key biotechnology sites in Iraq, to assess the current monitoring regime and to identify new requirements. These activities form the basis for adjustments to the monitoring regime.

91. Overall, the monitoring system continued to function satisfactorily during the reporting period. However, in a number of instances Iraq has failed to carry out all of its obligations. Some of the required monitoring reports have not been accurate, nor have some of them been corrected, following requests from the monitoring teams. In a number of cases, substantial inconsistencies between declarations and the situation on the ground have been identified. These include an undeclared biological laboratory unit at Tuwaitha and undeclared key pieces of dual-use equipment. Twice in a short period of time, inventory tags disappeared from two different pieces of dual-use equipment. Iraq was reminded of the need to notify the Commission of any occurrences involving damage to tags. Since then, Iraq has started to address this issue in a positive manner.

92. The Commission agreed to a specific request from Iraq to exempt from the Al-Hakam destruction three industrial chillers for hospital use. These chillers were tagged at that time. One of the chillers was then transferred by Iraq from the site without the required 30-day notification for the movement of tagged equipment. When the Commission inquired further, Iraq stated that the chiller was to be used on the production lines at an industrial plant. This action clearly contradicted Iraq's commitment to use this equipment only in hospitals. The Commission had to place a camera to monitor the chiller at its new location to prevent its use for unauthorized purposes. On 17 September, Iraq sought permission to finally move all these chillers to hospitals.

93. Monitoring in the biological area has now been in place for a year and a half. The monitoring regime is built on the premise of Iraq's steady cooperation in all facets of monitoring, including precise accounting of ongoing activities, disclosure of all dual-use equipment, reporting of movement of inventoried equipment and timely notifications of changes that occur. Such accuracy and timeliness has become an issue which must be addressed by Iraq; otherwise the Commission will need to reconsider the basis of its current monitoring regime and more intrusive procedures may need to be introduced.

VI. MISSILE ACTIVITIES

A. *Proscribed programmes*

94. Following its admissions since August 1995, Iraq submitted a declaration containing its full, final and complete disclosure in the missile area in November 1995. It comprised more than 2,500 pages, together with a substantial amount of supporting documentation. The Special Commission's assessment of the document was outlined in its December 1995 report to the Security Council [*S/1995/1038*]. As stated in that report, Iraq's accounting in the November 1995 FFCD did not appear to constitute a firm basis for establishing a definite and verifiable material balance for proscribed weapons and activities.

95. The Commission undertook to work closely with Iraq in order to assist it in identifying ways and means to make a future FFCD a complete and

verifiable document. During 1996, the Commission sent a number of missions in order to present its assessments and concerns and jointly establish the best methods to achieve the speediest progress. In the course of this process, Iraq provided two more draft FFCDs, one in February and one in May 1996. Several hundred pages of new documentation were made available to the Commission that were helpful in addressing some of its concerns. While the February 1996 draft represented a significant improvement over the November 1995 document, the May 1996 version did not reflect the same level of progress. During discussions with the Commission's experts in May 1996, Iraq stated that all documents that could be found had been provided to the Commission. Nevertheless, the Commission's experts emphasized that Iraq must provide substantial evidence that would allow for the verifiable accounting of all missiles, launchers, propellants and major components.

96. Although the Commission wished to continue the cooperative process to resolve major gaps in the draft declarations so that subsequent verification would be speedy and smooth, Iraq decided to provide an official FFCD in the missile area. That document, submitted in July 1996, contained only minor changes to the May draft. During his August visit to Baghdad, the Executive Chairman outlined some of the Commission's concerns related to the official FFCD. These included, in particular, declarations on Iraq's unilateral destruction of proscribed items, the material balance of weapons and key components and some associated issues with proscribed programmes.

97. Pursuant to the joint programme of action, the Commission planned a series of verification efforts in the missile area. A mission was to go to Iraq in early August to start interviews with Iraqi officials. However, as a result of Iraq's refusal to accept meaningful modalities for interviews, the mission was cancelled. Since the issue of interview modalities had been settled during the Chairman's visit in August, the first missile verification inspection (UNSCOM 162/BM 43) took place from 20 to 24 September. Based on the priority issues identified in the joint programme of action, this initial mission was tasked to concentrate on the material balance and the issue of unilateral destruction. Two specific topics (one related to operational missiles and the other to equipment and components from project 1728, a major missile engine production programme in Iraq) were chosen as the subjects for verification by this team.

98. Based upon the results of the previous inspection activities and the analysis of information obtained from different sources, the Commission determined that Iraq's statements in the FFCD relevant to these two topics were not complete and in certain aspects were even misleading. The Commission has a specific concern that some key items that Iraq had declared as having been unilaterally destroyed in the summer of 1991 had in fact been diverted from destruction and concealed.

99. During the September mission, the team was able to carry out interviews under the modalities established by the Commission. The Commission obtained some detailed information on the collection, storage, transfer and destruction of proscribed items in 1991 and the beginning of 1992.

100. The team established that the majority of production tools and components from project 1728 and some missiles had been diverted by Iraq from destruction in July 1991. This diversion and concealment operation was not disclosed in the FFCD. However, in an official letter to the Commission dated 3 October 1996, Iraq admitted that all its major missile establishments had, in July 1991, been ordered to load important tools, dies and parts of key priority on trucks. Eleven trucks were turned over to two unidentified officers said to be relatives of Lieutenant-General Hussein Kamel. Iraq stated that, in March 1992, these materials had been unearthed at a site where they had been hidden, and destroyed. It claims that the remnants of those materials were shown to the Commission's teams late in 1992 but the history of their concealment was not admitted at that time. The Commission is currently investigating this new admission. The Commission still has serious concerns that not all diversion and concealment activities have been disclosed.

101. Iraq has also declared that three proscribed missiles had been diverted from unilateral destruction in July 1991, and were eventually destroyed in October 1991. The explanation for this diversion was given as the preservation of reference material for future activities to produce similar missiles. Additional evidence and documents are still required from Iraq to account fully for all proscribed missiles and other components of the operational missile force claimed to have been destroyed in 1991. The Commission has recently received a further letter from Iraq providing some additional details related to specific missiles destroyed after the adoption of resolution 687 (1991).

102. The Commission intends to continue verification of the missile FFCD following the priorities and methods laid down in the joint programme of action.

B. *Monitoring activities*

103. During the reporting period, the Commission continued its monitoring of missile activities that are not proscribed by the resolutions of the Council. The missile monitoring groups have conducted over 150 visits to the sites under monitoring. Over 80 per cent of these inspections were carried out on a no-notice basis. The Commission has continued to operate and improve its camera monitoring system at missile or dual-use facilities.

104. Also in the period under review, the Commission conducted one check of tags on Iraq's operational missiles currently under monitoring. Such activities are a part of the monitoring regime and are intended to certify that non-proscribed missiles have not been modified for proscribed ranges.

105. After August 1995, Iraq admitted that, since the adoption of resolution 687 (1991), it had carried out an undeclared programme to modify the Volga/SA2 surface-to-air missile system to a surface-to-surface application with a range of over 100 kilometres. At the initiation of the monitoring system in 1993, the Commission decided that it would be sufficient to monitor, including with cameras, sites where main maintenance activities were carried out on Volga systems. As Iraq's undisclosed programme comprised flight tests of this system, the Commission decided, in January 1996, to modify monitoring modalities to include tagging of all Volga missiles similar to other tagged missiles in Iraq.

106. Since April 1996, the Commission has undertaken three missions to tag Volga missiles. The tagging operations were carried out at sites designated by Iraq. Iraq provided the necessary support to the inspection teams. So far, the Commission has tagged nearly 90 per cent of Volga missiles identified by Iraq for tagging and plans to complete the tagging of the remaining missiles, as well as relevant spare parts, by the end of 1996.

VII. NUCLEAR ACTIVITIES

107. The Director General of IAEA is reporting separately on the activities of the action team established to implement paragraphs 12 and 13 of resolution 687 (1991) and the IAEA plan for ongoing monitoring and verification approved under resolution 715 (1991) [*S/22872/Rev. 1*].

108. The Special Commission continues, in accordance with paragraph 9 (*b*) (iii) of resolution 687 (1991) and paragraph 4 (*b*) of resolution 715 (1991), to provide assistance and cooperation to IAEA. These efforts are primarily through the provision of logistical and other operational support to carry out the IAEA plan for ongoing monitoring and verification. In accordance with paragraph 9 (*b*) (i) of the same resolution and in accordance with paragraph 4 (*a*) of resolution 715 (1991), the Commission continues to designate additional sites for inspection. Further, the Commission continues, in accordance with paragraph 4 (*c*) of resolution 715 (1991), to perform such other functions in the nuclear field, in cooperation with the Director General of IAEA, as may be necessary to coordinate activities under the plans for ongoing monitoring and verification. This includes the use of commonly available services and information to the fullest possible extent in order to achieve maximum efficiency and optimum use of resources.

109. During the current reporting period, the Commission, in accordance with paragraph 3 (*c*) of resolution 707 (1991), has reviewed and concurred with a number of IAEA evaluations of Iraqi requests to relocate materials and equipment related to Iraq's nuclear programme or to use materials under seals. The Commission has provided airlift for the transport of IAEA

inspectors and equipment into and out of Iraq. Helicopters were also provided for the transport of IAEA inspectors and equipment. The Commission also provided IAEA with working rooms and supporting facilities at the Baghdad Monitoring and Verification Centre.

110. The Commission's nuclear experts participated in the IAEA 30/UNSCOM 147 inspection conducted in May 1996, the purpose of which was to investigate material presented by Iraq in its draft declaration containing its full, final and complete disclosure of February 1996. Commission experts also participated in the normal ongoing monitoring and verification activities of IAEA in August and September 1996.

111. Multidisciplinary inspections have been conducted and additional missions of this sort are planned in the coming year to investigate further links that may have existed between the nuclear programme and the prohibited missile, chemical and biological weapons programmes in Iraq. Closer integration between the Commission's and IAEA's systems have been and continue to be implemented. Regular coordination meetings are held at Vienna and New York to exchange information and to plan multidisciplinary inspections. Commission experts regularly visit Vienna to update the IAEA photo library.

112. The Commission's nuclear experts participate in the nuclear aspects of the export/import monitoring mechanism for Iraq established under resolution 1051 (1996) by analysing the content of notification forms in coordination and cooperation with IAEA.

113. The Commission's experts continue to participate in the negotiations with the Russian Federation (which will resume shortly in Vienna) regarding the sale of the nuclear fuel removed from Iraq and reprocessed in the Russian Federation.

VIII. Export/import monitoring mechanism

114. On 27 March 1996, the Security Council unanimously adopted resolution 1051 (1996), whereby it approved the export/import monitoring mechanism for Iraq, as called for under paragraph 7 of resolution 715 (1991). The export/import mechanism is designed to ensure that the Special Commission and IAEA have timely information on the import to Iraq and export from Iraq of all items relevant to the respective mandates of the Commission and of IAEA. Although there has been no change in the status of the sanctions regime imposed on Iraq under resolution 661 (1990), it had been clear for some time that items relevant to the mandate established by the Council were being imported into the country or were destined for Iraq. Thus there was an immediate requirement to put the export/import mechanism in place, in order to ensure the comprehensiveness of the overall monitoring system of the Commission and of IAEA in Iraq.

115. Under the export/import mechanism, the import of items relevant to the mandate of the Commission and of IAEA is notified by both the Government of Iraq and the Government of the supplier. In resolution 1051 (1996) the Security Council called upon Iraq to implement the system within 60 days of the passage of the resolution, namely 26 May 1996. In advance of that date, the Government of Iraq was provided with the necessary documentation to implement the notification system and a mission composed of experts from the Commission and IAEA was dispatched to Baghdad to explain the requirements of the system. Concurrently, the first export/import monitoring group (EG-1) was established at the Baghdad Monitoring and Verification Centre to receive Iraq's notification forms and to take action, as required.

116. Since the inception of the system, the Government of Iraq has made a number of notifications concerning imports, principally of notifiable chemical-related materials. Commission and IAEA inspectors will continue to work with Iraq to ensure that the notification procedure is carried out in a practical manner which, at the same time, gives confidence that notifiable items are being brought in under the auspices of the overall monitoring system. In order to underpin this latter requirement, in May 1996, a second export/import team, EXIM-2, undertook inspections at facilities in Iraq associated with the import of goods. As with the first EXIM inspection, conducted in 1995, the inspection aimed at achieving a good understanding of the import system in practice in Iraq, and to adapt the export/import notification procedures accordingly. Further such inspections will be undertaken in order to ensure the efficacy of the notification system.

117. In order to receive and to process notifications of the export to Iraq of notifiable items, the Commission and IAEA have established a joint unit at United Nations Headquarters in New York. A computerized database system has been developed and made available by a Member State. The effective introduction of the mechanism and the provision of additional experts to staff the joint unit has been severely curtailed by the absence of office space, since the area made available to the Commission by the United Nations Secretariat in the Headquarters building has not increased since the inception of the Commission in 1991, despite the fact that the number of staff has trebled.

118. Resolution 1051 (1996) required notifications by Governments of suppliers of notifiable goods to be provided as from "the date the Secretary-General and the Director General of IAEA, after their consultations with the members of the Council and other interested States, report to the Council indicating that they are satisfied with the preparedness of States for the effective implementation of the mechanism". In order to facilitate this process, under circular note UNSCOM:E/I:CN1 (1996) of 7 May 1996, all States were provided with a two-volume handbook explaining the notification requirements and containing the necessary documentation.

119. On 18 July 1996, the Executive Chairman of the Commission wrote to the members of the Security Council and former major suppliers to Iraq noting that informal contacts with a number of States appeared to indicate that they were, or would shortly be, in a position to provide the necessary notifications. As a consequence, unless by 15 September 1996 the Commission received sufficient indications in writing that effective implementation of the system was not possible by that date, a recommendation would be made to the Secretary-General and the Director General of IAEA that they report to the Council that notifications should be provided commencing on 1 October 1996.

120. Only one Government indicated its unreadiness but noted that it would inform the Secretary-General when it would commence providing notifications. In the light of this, the Secretary-General and the Director General of IAEA advised the President of the Security Council that the system would come into effect on 1 October 1996 [S/1996/805]. This decision was transmitted to all States by circular note UNSCOM:E/I:CN2 (1996) dated 30 September 1996. Thus, this important element of the Commission's and IAEA's ongoing monitoring and verification system is now in place.

IX. Other activities

A. *Finance and material support*

121. The Special Commission is not financed from assessed contributions to the United Nations. In the main, the cash requirements of the Commission have been met through funds released from the escrow account established under resolution 778 (1992) for the receipt of Iraqi frozen assets. In addition, the Commission has received some voluntary contributions from a number of States. To date the Commission has spent close to $120 million from these two main sources since its beginnings in 1991.

122. The Commission's cash requirements come in addition to the generous assistance provided by Governments through the provision of aircraft, facilities, equipment, materials and expert personnel. If given a monetary value, this "in-kind" assistance would amount to approximately twice that of the Commission's cash expenditures. The contribution made by the Government of Bahrain in providing facilities for the Commission's field offices in Bahrain is particularly noteworthy.

123. The Commission has received no new cash contributions to its operating budget for more than six months. Available resources will be depleted by the end of 1996. In resolution 986 (1995), the Security Council called for funds expected to be available under that resolution to be used, in part, to finance the current operating costs of the Commission. The Commission had hoped that the implementation of the resolution would ensure, at least for a limited period, that the Commission was put on a sound financial footing.

124. Unless resolution 986 (1995) is implemented before the end of the year, the Commission will be unable to meet its operating costs starting January 1997 and will have to curtail and commence shutting down its activities in Iraq. The Commission therefore remains concerned about its precarious financial situation. The Commission hopes that the members of the Council and other States will continue to support the Commission in cash and in kind to ensure that it is able to carry out its activities uninterrupted.

125. The situation with regard to office space in New York is becoming untenable. Special security concerns relate to all aspects of the Commission's work and necessitate that the Executive Office remains located in the Secretariat building. As noted in paragraph 117 above, the Commission remains constrained by the lack of additional office space required to ensure that resolution 1051 (1996), which established the export/import monitoring mechanism, is implemented fully in accordance with the Security Council's wishes. Additional secure space, which is essential for the effective operation of this commercially sensitive mechanism, has not been made available.

B. *Baghdad Monitoring and Verification Centre and operations*

126. The Baghdad Monitoring and Verification Centre has now been in existence for some two years. During that period, substantial efforts have been made to adapt the premises to meet the requirements necessary to support the six resident monitoring teams as well as short-term inspection teams. These efforts have included reorganizing the structural layout of the areas used by the Commission and IAEA, installation of equipment to support technical areas, such as the aerial inspection team's photographic laboratory and the chemical sample analysis laboratory. The communications system in the centre has been upgraded and the number of external telephone lines increased to support secure communications, principally to the Commission's headquarters in New York and to the IAEA action team in Vienna. Much of this has been made possible by the supply of materials and expertise from supporting Governments.

127. The infrastructure to support the remote camera monitoring system has been improved. In the field, the camera system has been refurbished to provide a more robust and reliable transmission capability as well as to simplify the maintenance of recording equipment. The communication system has improved with an expansion of the repeater network which now allows inspectors to contact the Baghdad centre directly from a radius of 75 kilometres, using only hand-held radios. Overall, while improvements and modifications will continue to be undertaken, the centre is now well equipped in most areas to meet the requirements of all inspection teams, even on occasions, as has happened over the reporting period, when the number of inspectors in the country totalled more than 150 personnel.

128. However, the Commission's vehicles used in the field now need to be replaced and their number needs to be augmented in order to support the growing transport requirements of monitoring and short-term inspection teams.

129. The Commission had to suspend its air operations for a short period of time in early September, owing to safety concerns associated with regional tensions. Helicopter flights resumed on 11 September and C-160 flights on 21 September. Nevertheless, other inspection activity in Iraq, principally by the resident monitoring teams, continued throughout the period.

130. The imagery provided by the Commission's high-altitude surveillance aircraft (U-2) and the Baghdad-based aerial inspection team continues to be essential for the monitoring regime and for the investigation of new sites. To date over 700 missions have been undertaken by the aerial inspection team and 316 missions by the U-2.

X. CONCLUSIONS

131. Throughout the present report, the Special Commission has sought to provide a factual overview of developments since the initiation of the implementation of section C of resolution 687 (1991). The Commission believes that when the Security Council is to take stock of the remaining problems, it may wish to do so in the context of the accomplishments regarding the accounting for and disposal of Iraq's weapons of mass destruction and proscribed missiles.

132. Since the outset in April 1991, many proscribed weapons and weapons capabilities have been identified and destroyed. In the present report, the Commission has outlined progress achieved in accounting for chemical and biological weapons and missiles with a range greater than 150 kilometres, as well as related proscribed components, equipment and facilities. The destruction of large chemical weapons stocks and of the sprawling biological weapons facility at Al Hakam, the neutralization of wide-ranging and diverse missile capabilities as well as the creation of a unique and effective monitoring and verification system are tangible examples of accomplishments over five and a half years. For a large part of this period, however, as described in the report, policies and actions of concealment practised by the Iraqi authorities have put obstacles in the way of rapid completion of the implementation tasks.

133. The Commission has therefore not yet reached the stage where it can state with confidence that everything that is proscribed to Iraq has been identified and disposed of. It continues to believe that limited but highly significant quantities may remain, as Iraq has not been able to account for a number of proscribed missiles and certain high-quality chemical and biological warfare agents and related capabilities that it had acquired. The Commission's information indicates that Iraq has still not told the full story of its weapons programmes and handed over all its proscribed weapons materials and capabilities for final disposal.

134. During the period under review, the Commission has made special efforts to expedite the process of clarifying the remaining problems and bringing to an end the concealment of proscribed items. The road thus travelled by the Commission has been a rocky one, as the members of the Security Council cannot have failed to observe. The Council has on repeated occasions acted in firm support of the Commission and its inspection teams. This has had a noticeable effect and may also have served the long-term interests of Iraq as the Council's unanimous support for progress with the implementation has led to some important headway.

135. The most positive and promising development during the period has been the dialogue and agreements at the political level between the Commission and the Government of Iraq leading to mutual undertakings on such crucial issues as access to sites for inspection and interviews as well as to the establishment of a joint programme of action, containing an outline of priority tasks to be accomplished, as originally proposed in the Commission's April 1996 report to the Security Council. This programme sets a realistic agenda for the future and establishes a well-defined framework for a constructive dialogue which has already shown its usefulness. It still remains for the spirit of that political-level dialogue to penetrate to the operational and working level in Iraq, so that instances of blockages, denials and concealment may be brought to an end. This report gives ample evidence of such obstacles to progress.

136. A very positive development during the last six months has been the initiation of the full export/import notification procedures. Almost the entire structure and system called for by the relevant Security Council resolutions for the discharge of the mandates given to the Commission and IAEA are now finally in place. Only one important element remains: the enactment by Iraq of the national implementation measures required under the monitoring plans approved by the Council in resolution 715 (1991). While frequently promised, Iraq has not yet introduced these measures, a failure which Iraq can easily remedy if it is to avoid an impediment in the full implementation of section C of resolution 687 (1991).

137. In the period under review, Iraq has finally presented the Commission with declarations which it states to contain its full, final and complete disclosures of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres and of all holdings of such weapons, their components and production facilities and locations. The Commission's initial assessments indicate

that further work is required. The joint programme of action provides the means for speedy verification of these declarations if Iraq cooperates fully at all levels to that end.

138. Thus, at this time, there exists the necessary framework and machinery and the Government of Iraq has officially made the necessary political undertakings to permit an early resolution of the problems which remain in connection with its proscribed programmes. What is primarily required is a dedicated and honest commitment by Iraq, implemented on all levels, to a course of full cooperation and transparency if the stage is to be reached in the near future where the Commission would be able to report that, in its view, Iraq has carried out the actions required of it under section C of resolution 687 (1991). The Commission has developed detailed operational plans to this end and stands ready to bring all its resources to bear to achieve such an outcome. However, Iraq will have to demonstrate that it has decided to commit itself to a wholehearted and sincere determination to comply with all the provisions of section C of resolution 687 (1991).

APPENDIX

Inspection schedule (in-country dates)

Nuclear

15 – 21 May 1991	IAEA 1/UNSCOM 1
22 June – 3 July 1991	IAEA 2/UNSCOM 4
7 – 18 July 1991	IAEA 3/UNSCOM 5
27 July – 10 August 1991	IAEA 4/UNSCOM 6
14 – 20 September 1991	IAEA 5/UNSCOM 14
21 – 30 September 1991	IAEA 6/UNSCOM 16
11 – 22 October 1991	IAEA 7/UNSCOM 19
11 – 18 November 1991	IAEA 8/UNSCOM 22
11 – 14 January 1992	IAEA 9/UNSCOM 25
5 – 13 February 1992	IAEA 10/UNSCOM 27
7 – 15 April 1992	IAEA 11/UNSCOM 33
26 May – 4 June 1992	IAEA 12/UNSCOM 37
14 – 21 July 1992	IAEA 13/UNSCOM 41
31 August – 7 September 1992	IAEA 14/UNSCOM 43
8 – 19 November 1992	IAEA 15/UNSCOM 46
6 – 14 December 1992	IAEA 16/UNSCOM 47
22 – 27 January 1993	IAEA 17/UNSCOM 49
3 – 11 March 1993	IAEA 18/UNSCOM 52
30 April – 7 May 1993	IAEA 19/UNSCOM 56
25 – 30 June 1993	IAEA 20/UNSCOM 55
23 – 25 July 1993	IAEA 21/UNSCOM 61
1 – 9 November 1993	IAEA 22/UNSCOM 64
4 – 11 February 1994	IAEA 23/UNSCOM 65
11 – 22 April 1994	IAEA 24/UNSCOM 73
21 June – 1 July 1994	IAEA 25/UNSCOM 53
22 August – 2 September 1994	IAEA 26/UNSCOM 90
7 – 29 September 1994	NMG 94–01
14 – 21 October 1994	IAEA 27/UNSCOM 93
29 September – 21 October 1994	NMG 94–02
21 October – 9 November 1994	NMG 94–03
8 – 29 November 1994	NMG 94–04
29 November – 16 December 1994	NMG 94–05
16 December 1994 – 13 January 1995	NMG 94–06
12 January – 2 February 1995	NMG 95–01
2 – 28 February 1995	NMG 95–02
28 February – 16 March 1995	NMG 95–03
16 March – 6 April 1995	NMG 95–04
6 – 26 April 1995	NMG 95–05
27 April – 10 May 1995	NMG 95–06
11 – 30 May 1995	NMG 95–07
31 May – 20 June 1995	NMG 95–08
21 June – 9 July 1995	NMG 95–09
10 – 30 July 1995	NMG 95–10
31 July – 10 August 1995	NMG 95–11
11 – 29 August 1995	NMG 95–12
30 August – 11 September 1995	NMG 95–13
9 – 19 September 1995	IAEA 28/UNSCOM 131
12 September – 3 October 1995	NMG 95–14
4 – 22 October 1995	NMG 95–15
17 – 25 October 1995	IAEA 29/UNSCOM 132
22 October – 9 November 1995	NMG 95–16
9 – 20 November 1995	NMG 95–17
20 November – 12 December 1995	NMG 95–18
12 December 1995 – 4 January 1996	NMG 95–19
4 – 27 January 1996	NMG 96–01
27 January – 12 February 1996	NMG 96–02
12 February – 5 March 1996	NMG 96–03
5 – 25 March 1996	NMG 96–04
26 March – 15 April 1996	NMG 96–05
15 April – 6 May 1996	NMG 96–06
6 – 27 May 1996	NMG 96–07
13 – 19 May 1996	IAEA 30/UNSCOM 147
27 May – 17 June 1996	NMG 96–08
17 June – 8 July 1996	NMG 96–09
8 – 30 July 1996	NMG 96–10
30 July – 20 August 1996	NMG 96–11
20 August – 15 September 1996	NMG 96–12

Chemical

9 – 15 June 1991	CW 1/UNSCOM 2
15 – 22 August 1991	CW 2/UNSCOM 9
31 August – 8 September 1991	CW 3/UNSCOM 11
31 August – 5 September 1991	CW 4/UNSCOM 12
6 October – 9 November 1991	CW 5/UNSCOM 17
22 October – 2 November 1991	CW 6/UNSCOM 20
18 November – 1 December 1991	CBW 1/UNSCOM 21
27 January – 5 February 1992	CW 7/UNSCOM 26
21 February – 24 March 1992	CD 1/UNSCOM 29
5 – 13 April 1992	CD 2/UNSCOM 32
15 – 29 April 1992	CW 8/UNSCOM 35
18 June 1992 – 14 June 1994	CDG /UNSCOM 38

26 June – 10 July 1992	CBW 2/UNSCOM 39
21 – 29 September 1992	CW 9/UNSCOM 44
6 – 14 December 1992	CBW 3/UNSCOM 47
6 – 18 April 1993	CW 10/UNSCOM 55
27 – 30 June 1993	CW 11/UNSCOM 59
19 – 22 November 1993	CW 12/UNSCOM 65
1 – 14 February 1994	CW 13/UNSCOM 67
20 – 26 March 1994	CW 14/UNSCOM 70
18 – 22 April 1994	CW 15/UNSCOM 74
25 May – 5 June 1994	CW 16/UNSCOM 75
31 May – 12 June 1994	CW 17/UNSCOM 76
8 – 14 June 1994	CW 18/UNSCOM 77
10 – 23 August 1994	CW 19/UNSCOM 89
13 – 24 September 1994	CW 20/UNSCOM 91
2 October 1994 – 14 January 1995	CG 1
23 – 27 October 1994	CW 21/UNSCOM 95
11 – 21 January 1995	CW 23/UNSCOM 108
16 – 22 January 1995	CW 22/UNSCOM 107
14 January – 15 April 1995	CG 2
16 April – 26 September 1995	CG 3
16 August 1995 – 15 January 1996	CG 4
16 – 20 September 1995	CW 25/UNSCOM 124
9 – 15 December 1995	CW 26*/UNSCOM 129 A
15 January – 16 April 1996	CG 5
24 February – 12 March 1996	CW 26/UNSCOM 129 B
2 April – 30 June 1996	CG 6
13 – 22 May 1996	CW 28/UNSCOM 138
1 July – present	CG 7
3 – 13 August 1996	CW 29/UNSCOM 140
18 – 22 September 1996	CW 30/UNSCOM 161

Biological

2 – 8 August 1991	BW 1/UNSCOM 7
20 September – 3 October 1991	BW 2/UNSCOM 15
11 – 18 March 1993	BW 3/UNSCOM 53
8 – 26 April 1994	BW 4/UNSCOM 72
28 May – 7 June 1994	BW 5/UNSCOM 78
24 June – 7 July 1994	BW 6/UNSCOM 84
5 – 8 June 1994	BW 7/UNSCOM 86
19 July – 16 September 1994	BW 8/UNSCOM 87
20 – 24 August 1994	BW 9/UNSCOM 88
29 August – 3 September 1994	BW 10/UNSCOM 92
29 September – 14 October 1994	BW 11/UNSCOM 94
23 – 26 September 1994	BW 12/UNSCOM 96
15 – 20 November 1994	BW 15/UNSCOM 104
2 – 10 December 1994	BW 16/UNSCOM 105 (IMT)
2 – 13 December 1994	BW 13/UNSCOM 99 (IMT)
9 – 18 December 1994	BW 17/UNSCOM 106 (IMT)
28 December 1994 – 31 January 1995	IBG 1
9 – 20 January 1995	BW 18/UNSCOM 109
13 January – 27 February 1995	BW 19/UNSCOM 110
25 – 30 January 1995	BW 22/UNSCOM 113
1 February – 3 April 1995	IBG 2
7 – 16 February 1995	BW 20/UNSCOM 111
4 – 17 February 1995	BW 21/UNSCOM 112
12 – 18 March 1995	BW 23/UNSCOM 115
24 March – 6 April 1995	BW 24/UNSCOM 116
4 April – 7 August 1995	BG 1
27 April – 16 May 1995	BW 25/UNSCOM 118
17 – 23 July 1995	BW 26/UNSCOM 121
8 August – 9 November 1995	BG 2
22 – 31 August 1995	BW 27/UNSCOM 125
27 September – 11 October 1995	BW 28/UNSCOM 126
2 November 1995 – 27 January 1996	BG 3
5 – 17 December 1995	BW 29/UNSCOM 127
12 – 18 January 1996	BW 30/UNSCOM 133
23 – 30 January 1996	BW 32/UNSCOM 136
28 January – 30 April 1996	BG 4
24 February – 12 March 1996	BW 33/UNSCOM 139
3 April – 30 June 1996	BG 5
30 April – 7 May 1996	BW 34/UNSCOM 142
11 – 20 May 1996	BW 35/UNSCOM 145
19 May – 30 June 1996	BW 31/UNSCOM 134
11 – 13 June 1996	BW 37/UNSCOM 151
1 – 8 July 1996	BW 36/UNSCOM 146
1 July – 28 September 1996	BG 6
25 July – 3 August 1996	BW 38/UNSCOM 152
29 July – 7 August 1996	BW 39/UNSCOM 154
13 – 20 September 1996	BW 40/UNSCOM 157
29 September – present	BG 7

Ballistic Missiles

30 June – 7 July 1991	BM 1/UNSCOM 3
18 – 20 July 1991	BM 2/UNSCOM 10
8 – 15 August 1991	BM 3/UNSCOM 8
6 – 13 September 1991	BM 4/UNSCOM 13
1 – 9 October 1991	BM 5/UNSCOM 18
1 – 9 December 1991	BM 6/UNSCOM 23
9 – 17 December 1991	BM 7/UNSCOM 24
21 – 29 February 1992	BM 8/UNSCOM 28
21 – 29 March 1992	BM 9/UNSCOM 31
13 – 21 April 1992	BM 10/UNSCOM 34
14 – 22 May 1992	BM 11/UNSCOM 36
11 – 29 July 1992	BM 12/UNSCOM 40 A+B
7 – 18 August 1992	BM 13/UNSCOM 42
16 – 30 October 1992	BM 14/UNSCOM 45
25 January – 23 March 1993	IMT 1*/UNSCOM 48
12 – 21 February 1993	BM 15/UNSCOM 50

22 y 23 February 1993	BM 16/UNSCOM 51
27 March – 17 May 1993	IMT 1b/UNSCOM 54
5 – 28 June 1993	IMT 1c/UNSCOM 57
10 y 11 July 1993	BM 17/UNSCOM 60
24 August – 15 September 1993	BM 18/UNSCOM 62
28 September – 1 November 1993	BM 19/UNSCOM 63
21 – 29 January 1994	BM 20/UNSCOM 66
17 – 25 February 1994	BM 21/UNSCOM 69
30 March – 20 May 1994	BM 22/UNSCOM 71
20 May – 8 June 1994	BM 23/UNSCOM 79
10 – 24 June 1994	BM 24/UNSCOM 80
14 – 22 June 1994	BM 25/UNSCOM 81
3 – 28 July 1994	BM 26/UNSCOM 82
15 – 24 July 1994	BM 27/UNSCOM 85
17 August – 9 October 1994	MG 1
2 – 6 October 1994	BM 28/UNSCOM 98ª
23 – 28 October 1994	BM 28/UNSCOM 98B
14 October 1994 – 21 February 1995	MG 2
19 – 22 October 1994	MG 2ª
2 – 6 December 1994	MG 2B
9 – 14 December 1994	BM 29/UNSCOM 101
9 – 16 December 1994	BM 30/UNSCOM 102
27 – 31 January 1995	MG 2C
22 February – 30 May 1995	MG 3
6 – 14 March 1995	BM 31/UNSCOM 103
25 May – 1 June 1995	BM 32/UNSCOM 100
30 May – 27 August 1995	MG 4
25 – 30 July 1995	BM 33/UNSCOM 122
20 – 24 August 1995	MG 4ª
27 August – 12 November 1995	MG 5
27 September – 1 October 1995	BM 34/UNSCOM 123
16 November 1995 – 13 February 1996	MG 6
9 – 15 December 1995	BM 36/UNSCOM 130
14 – 17 December 1995	MG 6ª
14 – 18 January 1996	BM 35/UNSCOM 120
1 – 5 February 1996	FFCD Mission M 1
14 February – 11 March 1996	MG 7
5 – 7 March 1996	Expert Mission
8 – 17 March 1996	BM 39/UNSCOM 143
10 March – 15 May 1996	MG 8
20 – 23 March 1996	FFCD/Mission M 2
25 March – 2 April 1996	BM 37/UNSCOM 137
2 – 6 April 1996	BM 40/UNSCOM 144
22 – 27 April 1996	BM 38ª/UNSCOM 141
5 – 10 May 1996	Special Mission 1
15 May – 9 August 1996	MG 9
28 May – 1 June 1996	FFCD Mission M 3
10 – 16 June 1996	BM 41/UNSCOM 150
15 – 19 July 1996	BM 42/UNSCOM 155
19 – 22 July 1996	**Special Mission 2**
20 July – 3 August 1996	BM 38B/UNSCOM 141B
3 – 7 August 1996	MG 9ª
9 August – present	MG 10
13 – 17 August 1996	Special Mission 3
20 August – 2 September 1996	BM 38C/UNSCOM 141C
20 – 24 September 1996	BM 43/UNSCOM 162

Computer Search

12 February 1992	UNSCOM 30

Technical Support Mission

8 – 16 August 1994	STT
11 – 20 May 1996	OST 9B
6 – 26 June 1996	PM2–96
5 – 28 August 1996	OST 8J

Export/import Mission

22 April – 6 May 1995	UNSCOM 119 (EXIM–1)
30 April – 9 May 1996	UNSCOM 128 (EXIM–2)
20 – 22 May 1996	Special Mission
20 May – 2 August 1996	EG–1
3 August 1996 – present	EG–2

Special Missions

30 June – 3 July 1991
11 – 14 August 1991
4 – 6 October 1991
11 – 15 November 1991
27 – 30 January 1992
21 – 24 February 1992
17 – 19 July 1992
28 – 29 July 1992
6 – 12 September 1992
4 – 9 November 1992
4 – 8 November 1992
12 – 18 March 1993
14 – 20 March 1993
19 – 24 April 1993
4 June – 5 July 1993
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27 September – 1 October 1993
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5 October 1993 – 15 February 1994

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24 – 26 April 1994
28 – 29 May 1994
4 – 6 July 1994
15 – 19 September 1994
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4 – 20 November 1994
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13 January – 16 March 1995
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25 January – 4 February 1995
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28 February – 18 March 1995
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29 May – 1 June 1995
19 – 22 June 1995
22 June – 2 July 1995
30 June – 2 July 1995
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24 August – 2 September 1995
24 August – 18 September 1995
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17 – 20 September 1995
29 September – 1 October 1995
19 – 25 October 1995
24 – 26 November 1995
27 – 29 November 1995
29 November – 3 December 1995
7 – 10 March 1996
18 – 19 April 1996
19 – 22 June 1996
26 – 28 August 1996

DOCUMENTS S/1996/858 AND Add.1

Nineteenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia

DOCUMENT S/1996/858

[*Original: English*]
[*17 October 1996*]

I. Introduction

1. The present report is submitted in pursuance of Security Council resolution 1071 (1996) of 30 August 1996, by which the Council requested me to submit a report by 15 October 1996 with proposals for assistance which the United Nations Observer Mission in Liberia (UNOMIL) or other United Nations agencies could provide in support of the peace process in Liberia. Under that resolution, the Council also requested me to report on the situation of child soldiers in Liberia, and to provide an update on the status of property stolen from UNOMIL, the United Nations and international agencies during hostilities in Monrovia earlier this year.

2. The present report includes these elements, as well as an update on developments in Liberia since my report of 22 August 1996 [*S/1996/684*].

II. Political aspects

3. It will be recalled that, during the Economic Community of West African States (ECOWAS) summit of the Committee of Nine on Liberia held at Abuja on 17 August 1996, ECOWAS, the faction leaders and Liberian civilian groups took a number of decisions necessary to put the peace process back on track. These decisions included, *inter alia*, the appointment of a new Chairperson of the Council of State and a new timetable for the implementation of the 1995 Abuja Agreement [*S/1995/742, annex*], starting with the restoration of the ceasefire by 31 August 1996 and culminating in the holding of elections by 30 May 1997.

4. Since that time, some progress has been made towards the implementation of the decisions taken in Abuja. On 3 September 1996, the new Chairperson of the Council of State, Ms. Ruth Perry, was inducted into office and thus became the first woman Head of State in Africa. On 10 September, the Council of State met for the first time since the outbreak of hostilities on 6 April.

5. Tensions that had arisen between Roosevelt Johnson, the leader of a wing of the United Liberation Movement of Liberia for Democracy (ULIMO-J), and the Chairperson of the Council of State have now subsided with the formal acceptance by the Council of Mr. Johnson's full list of government appointees. However, differences of opinion persist within ULIMO-J, some members of which feel that these appointments do not represent the interests of all elements in the faction.

6. At the first meeting of the Council of State and the new Cabinet on 30 September 1996, a decision was taken to establish a number of committees to assist in the implementation of the Abuja Agreement, including in regard to elections and the restructuring of the joint security, police and other paramilitary structures. A committee of all the signatories to the Agreement was also established to monitor implementation of the peace process.

7. The new Chairperson of the Council of State met with the Chairman of ECOWAS, General Sani Abacha, the Head of State of Nigeria, in Abuja from 24 to 26 September, to review the status of implementation of the peace process. ECOWAS has indicated that such consultations will continue on a regular basis.

8. While efforts have been made to establish a cohesive Council of State and the Chairperson has shown determination to provide the Council with effective and neutral leadership, the faction leaders on the Council remain deeply mistrustful of one another and continue to engage in hostilities in the interior of the country. This raises a concern as to the ability of the Council to carry out its functions effectively, in accordance with the letter and spirit of the Abuja Agreement.

9. General Abacha wrote to me on 15 September 1996 to inform me of decisions taken at the ECOWAS summit held at Abuja in August (*see para. 3*). He noted that the Abuja Agreement had been extended, that a revised implementation schedule had been agreed and that elections were now scheduled to be held in Liberia before the end of May 1997. In furtherance of the latter objective, he anticipated that "the United Nations would be requested to work with ECOWAS to provide necessary assistance and support in the processes leading to the conduct of free and fair elections in Liberia".

10. To date, no formal request for United Nations assistance in the holding of elections has been received. ECOWAS and the Council of State are continuing their consultations on the precise nature of the assistance that is to be sought from the international community for the electoral process. In addition, key issues pertaining to the holding of free and fair elections in Liberia have yet to be decided, including the process to be used for selecting a neutral and independent Electoral Commission; the status of the Constitution and of the electoral law; whether the elections would be full-term elections or only transitional elections; and the scope and extent of the polling.

11. The Chairperson of the Council of State, Ms. Perry, visited United Nations Headquarters on 9 October 1996 to address the General Assembly. During a meeting with me, she appealed to the United Nations and the international community for assistance in advancing the peace process in Liberia, and particularly for support with respect to disarmament, demobilization, reintegration and the holding of elections. She did not, however, give precise indications of the role the United Nations would be asked to play with regard to the elections.

12. The first assessment meeting of ECOWAS, UNOMIL, the ECOWAS Monitoring Group (ECOMOG), the Liberian National Transitional Government (LNTG) and representatives of the donor community began in Monrovia on 16 October to review the status of implementation of the Abuja Agreement, with the Special Envoy of the Chairman of ECOWAS, Chief Tom Ikimi, Minister for Foreign Affairs of Nigeria, as chairman of the meeting. This is to be followed by a meeting of Ministers for Foreign Affairs of the ECOWAS Committee of Nine on Liberia, scheduled to take place at Monrovia, from 4 to 8 November.

III. MILITARY ASPECTS

Status of the ceasefire and disengagement of forces

13. Six weeks have passed since 31 August when, in accordance with the new timetable for the implementation of the Abuja Agreement, the factions were to have implemented the ceasefire and disengaged their forces. While all factions, except the Liberian Peace Council (LPC), have issued orders to their commanders to cease hostilities and some steps have been taken towards the disengagement of forces, fighting continues in the south-east and the west.

14. The ceasefire in Monrovia continues to hold and ECOMOG remains fully deployed in the city in order to maintain security. While civilians are not seen carrying arms, and ECOMOG has confiscated a considerable number of arms and ammunition through its cordon and search operations, it is believed that significant stockpiles of arms and ammunition still exist in the city. In order to enhance security in Monrovia, the curfew is being more rigorously enforced by ECOMOG.

15. During the reporting period, UNOMIL and ECOMOG undertook patrols to a number of previously inaccessible areas in order to verify the ceasefire and disengagement of forces. Following an agreement concluded on 6 September 1996 between the two wings of ULIMO, ULIMO-J and General Alhaji Kromah's wing (ULIMO-K), between the two wings of ULIMO, hostilities between them ceased in Bomi County and the two wings disengaged their forces. ULIMO-J has recently, however, re-established some of its checkpoints in the area and increased the presence of its

fighters in Tubmanburg. Furthermore, hostilities between the two wings of ULIMO in Grand Cape Mount county have intensified in recent days, especially around Sinje, Wengokor, Gbesse and Tienne (*see map at the end of the present volume*). Each faction has taken the position that any hostile action by it has been in defence against attacks by the other.

16. The National Patriotic Front of Liberia (NPFL) has dismantled its checkpoints along the highways in Bong and Nimba counties, although it still maintains checkpoints in Bong Mines, which was a contested area earlier this year. NPFL has also removed its checkpoints in the Buchanan area. However, despite efforts on the part of UNOMIL and ECOMOG, little headway has been made in defusing hostilities between NPFL and LPC in the south-east. Moreover, lack of cooperation from NPFL and LPC has made it difficult for UNOMIL and ECOMOG to visit most other areas of the south-east to verify the status of the ceasefire. In this connection, on 17 September, a joint mission of the Ceasefire Violations Committee and the Disarmament Committee, which included representatives of UNOMIL, ECOMOG and the factions, was harassed during a visit to the LPC stronghold of Zwedru. The NPFL representatives were arrested by the local LPC commander and were severely manhandled, as were some other members of the mission, who were also robbed. UNOMIL and ECOMOG issued a strong protest to LPC and returned to the area the following day with the LPC leader, George Boley, to secure the release of the two NPFL representatives.

17. On 10 October 1996, the LPC leader reported to UNOMIL that the NPFL forces had overrun the city of Greenville. He also stated that NPFL had, over the past several months, taken from the LPC areas which he had planned to use for the disarmament and demobilization of his fighters and that, unless NPFL withdrew from those areas, LPC would find it difficult to disarm. NPFL maintained, however, that Greenville had been under its control for some time. In view of the seriousness of these allegations and their potential implications for the peace process, a joint investigation and verification mission of the Ceasefire Violations Committee and the Disarmament Committee visited Greenville on 12 October to investigate the incident. Preliminary findings indicate that NPFL may have taken control of Greenville in September 1996, after the ceasefire had been re-established. However, the Ceasefire Violations Committee is still finalizing its report on the matter.

18. While, in accordance with the new timetable for the implementation of the Abuja Agreement, the process of disarmament and demobilization is not scheduled to commence until 22 November 1996, some factions have indicated a willingness to start disarming some of their fighters before that date. In this connection, ULIMO-K handed over some arms and ammunition, including a surface-to-air missile and 119 anti-tank mines, to ECOMOG on 7 September in Voinjama. ULIMO-K has also announced its intention to carry out a similar exercise in Grand Cape Mount County. In addition, NPFL has encamped some 500 fighters in Nimba County in preparation for early disarmament but has not clarified how it intends to proceed with this.

Deployment of ECOMOG and UNOMIL

19. The current force strength of ECOMOG is estimated at some 7,500 all ranks and is deployed in Monrovia, Kakata and Buchanan and the Po River area. The Force Commander is continuing his efforts to reinvigorate ECOMOG and has demonstrated his determination to ensure that the force carries out its tasks effectively.

20. During the reporting period, 84 trucks provided by the Government of the Netherlands and 35 trucks provided by the Government of Germany arrived in Monrovia for ECOMOG. The Government of the United States of America continues to provide logistic and communications equipment to ECOMOG, on the basis of the $30 million pledge of assistance it made in April 1996.

21. UNOMIL's current military strength consists of 10 military observers who perform the following duties in pursuance of their mandate: patrolling in Monrovia, Kakata, Buchanan, Suehn, Tubmanburg, Gbarnga, and Grand Cape Mount County to monitor the status of the ceasefire and disengagement of forces; joint investigations with ECOMOG of ceasefire violations; verification of arms and ammunition secured through ECOMOG's cordon and search operation and voluntary disarmament; and liaison and planning with ECOMOG (*see annex*). As indicated in my last report [*S/1996/684*], in light of the decisions taken at the ECOWAS Summit on 17 August, it was my intention to deploy an additional 24 military observers to Liberia. The deployment of these observers was initially delayed because of continuing doubts on the part of the international community about the prospects for progress in the implementation of the Abuja Agreement, but it is now expected that some of them will arrive in Liberia during the latter part of October. Once a sufficient number have been deployed, UNOMIL will re-establish team sites in two areas outside Monrovia where ECOMOG is presently deployed, namely Buchanan and Kakata.

Revised concept of operations

22. In paragraph 5 of resolution 1071 (1996), the Security Council requested me to submit by 15 October 1996 proposals for assistance which UNOMIL or other United Nations agencies could contribute in support of the Liberian peace process, including, *inter alia*, disarmament, demobilization and verification of compliance by the factions. Accordingly, I dispatched a technical team to Liberia to assess, in consultation with UNOMIL, ECOMOG and the humanitarian community, the contribution which the United Nations could make in those fields. The team, which was led by my Deputy Military Adviser, Brigadier-General M. Bhagat, and included members of the departments of Peacekeeping Operations and Humanitarian Affairs, visited Liberia from 26 September to 3 October.

23. The team's visit to Liberia was preceded by discussions locally on disarmament and demobilization, especially in the light of the declared willingness of some factions to disarm some of their fighters before the date scheduled for the

commencement of this exercise. The team also took into account the fact that the resources of UNOMIL, United Nations agencies and non-governmental organizations (NGOs) had been extensively looted and that those organizations would need time to rebuild their assistance programmes for disarmament and demobilization.

24. In preparation for disarmament, ECOMOG has requested the factions to provide an indication of potential sites for the collection of arms. All the factions except LPC have so far done so and some 12 sites have tentatively been identified, though some of them may not be used for the disarmament and demobilization of fighters. Given the scarcity of resources and ECOMOG's current troop strength, UNOMIL, ECOMOG and the humanitarian community feel that disarmament and demobilization of fighters could take place at five or six centres.

25. On the basis of information received from the factions, there are approximately 60,000 fighters in Liberia. The factions will be responsible for delivering their fighters to the disarmament and demobilization centres. If they cooperate fully, it is estimated that the disarmament and demobilization process at five or six centres could be completed within a period of about three months.

26. ECOMOG has indicated that it would consider the possibility of establishing additional disarmament/demobilization centres, at the weapons collections sites, if additional manpower and logistic resources could be provided. In this connection, it will be recalled that during the meeting of ECOWAS Chiefs of Staff on 14 to 15 August, a number of ECOWAS member States indicated their interest in contributing troops to ECOMOG, subject to the availability of logistical support. While discussions continue between potential troop-contributing countries, ECOWAS and potential donors, no additional troops have yet been deployed to Liberia. The establishment of additional disarmament and demobilization centres would also depend on the capacity of the humanitarian community to organize and manage the necessary services there.

27. The military aspects of the mandate entrusted to UNOMIL by the Security Council under resolution 1020 (1995) of 10 November 1995 included the following tasks: to investigate all allegations of violations of the ceasefire reported to the Ceasefire Violations Committee; to recommend measures to prevent the recurrence of such violations and to report to the Secretary-General accordingly; to monitor compliance with the other military provisions of the peace agreements, including disengagement of forces, disarmament and observance of the arms embargo and to verify their impartial application; and to assist, as appropriate, in the maintenance of assembly sites agreed upon by ECOMOG, the LNTG and the factions, and in the implementation of a programme for the demobilization of combatants, in cooperation with the LNTG, donor agencies and NGOs.

28. In accordance with the above mandate and ECOMOG's revised concept of operations, it is estimated that UNOMIL would require: (*a*) one disarmament team of six military observers to be deployed at each disarmament/demobilization centre to monitor and verify the disarmament process; and (*b*) two mobile teams of six observers to continue monitoring and observing, in conjunction with ECOMOG, the implementation of the ceasefire, the disengagement of forces, the collection of weapons at areas other than the disarmament and demobilization sites, and compliance by the factions with the other military provisions of the Abuja Agreement, including the arms embargo. In addition, some 20 military observers would be required to man UNOMIL's military headquarters in Monrovia, which would include the Chief Military Observer and his immediate staff; an operations cell of five observers; an ECOMOG liaison cell of two observers; a logistic cell of two observers; and a medical unit of seven observers. The final composition of UNOMIL's military component would be dependent on ECOMOG's deployment, but would not exceed a total of 92 military observers. This would represent a reduction of some 68 military observers from the total strength of 160 authorized under resolution 1020 (1995).

29. After the completion of disarmament and demobilization, UNOMIL's military component would maintain a presence in Liberia to continue monitoring the implementation of the military provisions of the Abuja Agreement, thus helping to build the confidence necessary for the electoral period. UNOMIL's military component would start drawing down after the elections, which, in accordance with the revised timetable, are scheduled to take place by 30 May 1997.

30. As most of UNOMIL's vehicles, communications and other assets were looted during the April hostilities in Monrovia, the Mission will require additional logistic support, especially vehicles and communications equipment, in order to carry out its tasks. UNOMIL will also require a second helicopter of medium lift capability to help it support the disarmament process.

IV. HUMAN RIGHTS ASPECTS

31. During the reporting period, fighters continued to violate human rights and harass innocent civilians. The most shocking and tragic example occurred on 28 September 1996 when at least 21 civilians were killed in Sinje, Grand Cape Mount County, during an attack on the village. The identity of those responsible has yet to be established but UNOMIL, in cooperation with the Ministry of Justice, ECOMOG and national human rights groups, is investigating the incident. It has so far been determined that the civilians suffered decapitation, castration and blunt object trauma, in addition to gunshot wounds.

32. Politically motivated incidents have been reported by Liberian human rights groups. They have attempted to investigate the incidents but the 6 April crisis resulted in severe depletion of their limited resources and this has impaired their investigative capacity.

33. It will be recalled that, under resolution 1020 (1995), UNOMIL was entrusted with the mandate "to investigate and report to the Secretary-General on violations of human rights and to assist local human rights groups, as appropriate, in raising voluntary contributions for training and logistic sup-

port". Because of the hostilities in Monrovia and the consequent downsizing of UNOMIL, it has not been possible to fill the three human rights posts which had been approved for the Mission. It is my intention to reactivate these posts to enable UNOMIL to fulfil this critical aspect of its mandate. The three Human Rights Officers will be responsible for investigating and reporting alleged violations of human rights in various areas of the country, depending on security conditions. They will coordinate with local human rights groups and assist them, as appropriate, in raising voluntary contributions for training and logistic support.

Situation of child soldiers

34. The United Nations Children's Fund (UNICEF), which is mandated to address the issue of child soldiers in Liberia, has reported that all the factions have recruited and deployed children for direct combat and related military tasks, often under duress and sometimes through peer pressure or manipulation. It is estimated that 15,000 to 20,000 child soldiers are under the control of the six major warring factions. The children, who are under the age of 17, both male and female, are compelled to witness, and sometimes commit, human rights atrocities. They are also subject to sexual and drug abuse.

35. The 6 April hostilities in Monrovia disrupted UNICEF's programme for war-affected children. This programme, which is implemented through international and local NGOs, is now being progressively re-established to address the needs of war-affected youth in both urban and rural areas. It includes support for the establishment of community centres for vocational and literacy training and provides shelters, transit-homes and trauma counselling for children. UNICEF is also planning to establish a number of schools in areas where there are children but no functioning educational facilities.

36. The demobilization of child fighters is a critical aspect of the peace process and national reconciliation. As a matter of priority, the Task Force on Demobilization and Reintegration, which is chaired by the office of the United Nations Humanitarian Assistance Coordinator (UNHAC), has established a special technical committee, led by UNICEF, to address the issue of child soldiers in the context of the overall demobilization programme. The LNTG is in the process of formulating a general policy for war-affected children. Within this policy framework, UNICEF and its partners will implement special reintegration programmes for child soldiers. In this connection, it is envisaged that child soldiers will return to their home communities at the earliest opportunity after demobilization, where they will be assisted in readjusting to civilian life through the types of activities described in paragraph 35 above.

V. STATUS OF STOLEN PROPERTY

37. More than US$ 18 million worth of property (vehicles, generators, computers and other office and communications equipment) was looted from UNOMIL, United Nations agencies and NGOs during the 6 April crisis. Less than 1 per cent of the property has been recovered. In this connection, my Special Representative has met with leaders of each of the factions and demanded the return of all looted vehicles and properties in their possession. In addition, he has brought the matter to the attention of the ECOWAS Heads of State and has requested the assistance of Liberia's neighbours in retrieving United Nations property which may have crossed their borders. The Council of State has also been urged to use its good offices in encouraging the factions to return stolen property to the United Nations and NGOs.

38. Despite these efforts, only 32 vehicles, of a total of 489 looted during the crisis, have been recovered by UNOMIL and ECOMOG, and they are in very poor shape. The Government of Guinea has assisted in the recovery of a few looted items that had been exported from Liberia. The faction leaders have, on numerous occasions, promised to return the stolen property. However, their promises have not so far been fulfilled.

VI. HUMANITARIAN ASPECTS

39. The humanitarian situation during the reporting period has remained essentially unchanged, with a large number of persons in the interior cut off from relief assistance. There was an outbreak of cholera in Monrovia, which was effectively addressed by the international humanitarian community, including the World Health Organization (WHO), UNICEF and UNHAC, in close collaboration with the national health authorities. In general, the humanitarian community continues to extend assistance to those in need in Monrovia and to areas in the interior as security conditions and resources permit.

40. The humanitarian community, led by UNHAC, has been successful in negotiating access to suffering populations in previously inaccessible areas. On 7 September 1996, a team led by UNHAC was able to reach Tubmanburg, which had been cut off for nearly seven months because of hostilities. Some areas of Grand Cape Mount County have also recently been opened up. The humanitarian situation in Tubmanburg is critical and about 82 per cent of the children in the area are severely malnourished. While the situation in Grand Cape Mount County is not as bad, many children, women and elderly persons have suffered from various degrees of malnutrition and related issues. The World Food Programme (WFP), UNICEF, WHO, the United Nations Office of Project Services (UNOPS) and UNHAC, together with international and national NGOs, are providing food, medical care, therapeutic supplementary feeding and other assistance to those in need in these areas. However, the recent deterioration in the security situation in Grand Cape Mount County has impeded the delivery of humanitarian assistance to that area.

Situation of refugees

41. In accordance with the new timetable for the implementation of the Abuja Agreement, the repatriation of refugees, which is one of the key aspects of the peace proc-

ess, is scheduled to take place from 22 November 1996 to 31 January 1997. The Office of the United Nations High Commissioner for Refugees (UNHCR) is preparing to relaunch its plan of operations for the voluntary repatriation of the 750,000 Liberian refugees located mainly in Guinea, Côte d'Ivoire, Ghana, Sierra Leone and Nigeria. However, while relative calm has been restored in Monrovia and its environs, the rest of the country is not sufficiently secure, especially in major counties of potential return, to allow UNHCR to implement its plan for large-scale repatriation.

42. Some 120,000 refugees from Sierra Leone are currently residing in Liberia. Continued insecurity in many parts of the country has prevented UNHCR from reaching the majority of these refugees, who live in rural areas. The number who have taken refuge in Monrovia and its environs has almost doubled to some 30,000 in recent months, because of fighting in other areas. Plans to repatriate about 5,000 refugees who have indicated their wish to return to Sierra Leone are almost complete and it is expected that a further 20,000 refugees may return to Sierra Leone in the coming months.

Demobilization

43. Planning for demobilization and reintegration had reached an advanced stage prior to the outbreak of hostilities on 6 April 1996. As a result of the looting which ensued, all resources pre-positioned for demobilization and reintegration were lost and all relevant staff were repatriated. As the prospects of peace gradually improved, UNHAC reactivated the Demobilization and Reintegration Unit, which, under the overall authority of my Special Representative, is responsible for organizing and delivering services for the demobilization of combatants. The Unit is also responsible for assisting and coordinating programmes to facilitate the return of ex-combatants to productive life in civilian society. UNHAC has embarked on a sensitization campaign among all relevant parties, in particular the NGO community, to revive interest, support and planning for the process. In early September, these efforts resulted in the reactivation of the Task Force on Demobilization and Reintegration, a coordinating body which is chaired by UNHAC and comprises UNOMIL, United Nations agencies, ECOMOG, the Liberian National Disarmament and Demobilization Commission (NDDC) and representatives of international and national NGOs. The Task Force has revised the previously adopted demobilization and reintegration plans to suit the new schedule of implementation of the Abuja Agreement and to accommodate the limitations imposed by the recent fighting. It has established two subcommittees to draw up revised plans for child soldiers and resettlement.

44. In accordance with the concept for disarmament outlined in section III above, the demobilization process will take place at disarmament/demobilization centres where, once combatants are disarmed, they will be registered and receive counselling. The programme will not depart significantly from the previous plan prepared following the 1995 Abuja Agreement and described in my report of 23 October 1995 [*S/1995/881*]. However, the new demobilization programme does not envisage the provision of small assistance packages for ex-combatants, which were included in the previous plan. Resources thus saved will be used to augment short-term "bridging" activities which will help ensure that ex-combatants are engaged in productive activities after demobilization but before reintegration programmes become operational.

45. Ideally, ex-combatants would proceed directly from the disarmament/demobilization centres to reintegration programmes, which would also cater to internally displaced persons and returnees. However, it is not expected that these programmes will be operational until at least three months after the start of the disarmament process, depending on the provision of voluntary contributions. It is essential that, during that period, ex-combatants, especially those with no means of livelihood, do not rearm or turn to banditry.

46. The activities which will help bridge the gap between demobilization and reintegration will include vocational training, education and work projects. Ex-combatants will be provided with food assistance for the duration of these bridging activities and will receive tools and equipment as deemed appropriate. For reasons of planning and security, bridging activities will take place in the vicinity of the disarmament/demobilization centres.

47. The emphasis in terms of incentives for disarmament and demobilization will be on these bridging projects and the provision of reintegration assistance. All members of the Task Force on Demobilization and Reintegration have agreed to this approach, which is deemed to be more effective than simply providing small, one-time packages of assistance.

48. The previous demobilization plan also envisaged the possibility of ex-combatants remaining at the demobilization centres for up to one week. Again, it is felt that resources would be more productively used if ex-combatants moved directly into bridging activities. Nevertheless, there may be a requirement for ex-combatants to remain at the centres for up to 24 hours. The Demobilization and Reintegration Unit of UNHAC will coordinate and manage the provision of food, health services, locally produced shelter, water and basic sanitation for the centres. The Unit will also be responsible for coordinating bridging activities with local authorities, United Nations agencies and international and local NGOs.

49. It will be recalled that, under General Assembly resolution 50/210 of 23 December 1995, the costs of the demobilization programme, including bridging activities, were included in the assessed budget of UNOMIL. These decisions were taken in recognition of the necessity of ensuring the sustainable demobilization of combatants if the peace process is to succeed. The present programme for demobilization, including bridging activities for a three-month period, will also therefore be included in UNOMIL's assessed budget. Should voluntary resources become available for the bridging activities, the assessed budget will be reimbursed accordingly.

VII. ECONOMIC AND SOCIAL ASPECTS

50. After almost seven years of civil war, the Liberian economy suffered a further setback as a result of the April hostilities. Informal trading activities fell by more than 50 per cent and the domestic production of food decreased to a mere fraction of previous output. About 90 per cent of registered businesses in the formal sector sustained losses and damage. The decrease in aggregate output resulted in a corresponding drop in income and a dramatic escalation of prices ranging from 100 to 500 per cent. While prices have gradually fallen, they still remain higher than in the pre-April period. Consequently, most Liberians are unable to meet their basic needs without humanitarian assistance.

51. Nevertheless, over the past few months, wholesale and retail trade in local food and other commodities and merchandise have slowly gained momentum. United Nations agencies and international organizations are gradually, albeit cautiously, resuming operations. The Government is attempting to encourage the revival of economic activity, but the recovery process has only tentatively begun and is expected to prove exceedingly difficult.

52. The United Nations Development Programme (UNDP) is providing basic equipment and supplies to key government agencies to assist them in resuming their rehabilitation, reconstruction and economic recovery planning activities. UNDP is also providing support for transitional needs in the health, water, sanitation and shelter sectors.

53. The United Nations agencies and NGOs are preparing projects for newly accessible areas, such as Tubmanburg, particularly to rehabilitate health facilities and other basic services. The Food and Agriculture Organization of the United Nations (FAO) has launched a programme of rehabilitation of the agricultural sector, with emphasis on the supply of agricultural inputs to vulnerable families and assistance to fisheries.

VIII. FINANCIAL ASPECTS

54. The revised budget for the maintenance of UNOMIL at its present reduced level for the period from 1 July 1996 to 30 June 1997, which is currently before the General Assembly for its consideration, amounts to $14,512,800 gross and is equivalent to a monthly rate of $1,209,400 gross.

55. Should the Security Council decide to expand the operations of UNOMIL, as recommended in paragraph 59 below, the additional requirements for the maintenance and operation of the Mission will be sought from the General Assembly at its current session.

56. As of 8 October 1996, unpaid assessed contributions to the UNOMIL special account since the inception of the Mission amounted to $10.5 million. The total outstanding assessed contributions for all peacekeeping operations on 8 October 1996 was $1,804 million.

57. Since my last report, the Government of France has made a contribution of $679,611 to the Trust Fund for the Implementation of the Cotonou Agreement on Liberia. As at 8 October 1996, total contributions received amounted to some $24.7 million, with authorized expenditures totalling some $22.7 million.

IX. OBSERVATIONS AND RECOMMENDATIONS

58. In August 1996, the faction leaders once again committed themselves to lay down their arms and to cooperate fully with ECOWAS and the international community in implementing the new timetable for the Abuja Agreement. They continue to reiterate through their offices in Monrovia their readiness to disarm and demobilize their fighters but, once again, they are engaged in hostilities in other parts of the country. Some of these hostilities may involve only minor skirmishes but civilians still suffer atrocities of the kind perpetrated at Sinje. And the allegations that NPFL has taken control of Greenville from LPC may have more serious military and political ramifications. The factions also continue to impede efforts to provide assistance to suffering people and to abuse international personnel. Unless the faction leaders finally decide to match their words with clear and verifiable deeds, the international community is unlikely to continue to extend its support to the peace process in Liberia.

59. I am nevertheless hopeful that the assessment meeting of ECOWAS, UNOMIL, ECOMOG, the LNTG and representatives of the donor community, which began on 16 October, will address these problems and enable the peace process to move forward. Accordingly, in pursuance of Security Council resolution 1071 (1996), I have set out in the present report recommendations on the type of assistance UNOMIL could provide, particularly in the fields of disarmament, demobilization and human rights. The related cost estimates for a six-month period will be issued shortly as an addendum to this report. I wish to assure the Security Council, however, that the deployment of the personnel and logistic resources linked to these proposals will not be undertaken unless the factions take the concrete steps required to implement the revised timetable of the Abuja Agreement and put their country firmly on the path of genuine peace and national reconciliation.

60. I have not been able to make recommendations, as requested by the Security Council, on the type of assistance which the international community could contribute towards the holding of free and fair elections in Liberia. As noted above, ECOWAS and the Council of State are continuing consultations on the nature of the role that the international community should be asked to play in the electoral process. Given that the elections are scheduled for May 1997, there is little time to make the necessary preparations and it is essential that the Council of State be encouraged by ECOWAS to take a very early decision on the matter. I will keep the Security Council informed of developments and, in the event that a request for United Nations assistance is received, I will report to the Council with recommendations on the type of assistance which the United Nations could provide.

61. While the attitude of the faction leaders remains a matter of concern, the new Chairperson of the Council of

State, Ms. Ruth Perry, and many Liberian civilian groups are trying energetically to restore peace in their country. I congratulate Ms. Perry on her efforts and call on the international community to give her and the Liberian civilian groups all the support they need to soften the intransigence of the faction leaders and restore a peaceful society in Liberia.

ANNEX

Composition of the military component of UNOMIL as at 11 October 1996

	Currently in position	*Additional 24 observers*
Bangladesh	1	2
China	–	2
Czech Republic	–	2
Egypt	1	3
India	3	3
Kenya	2	3
Malaysia	1	2
Nepal	–	2
Pakistan	2	3
Uruguay	–	2
Total	**10**	**24**

DOCUMENT S/1996/858/Add.1

[*Original: English*]
[*22 October 1996*]

1. With reference to paragraph 59 of my main report [*S/1996/858*], I wish to inform the Council that the expansion cost of the United Nations Observer Mission in Liberia (UNOMIL) for a six-month period, on a full cost basis, is projected at some $26.4 million. It includes approximately $7 million of non-recurrent costs, most of which relates to the replacement of lost transport, communication and other equipment. The monthly recurrent cost for the expansion of the Observer Mission is approximately $3.2 million during the first six months and $1.7 million per month thereafter. These costs are in addition to the current monthly cost of $1.2 million for maintaining the Observer Mission. The cost of the expansion is based on the assumption that the implementation of the disarmament and demobilization programme will be for a period of three months within the first six-month period. In addition, provision is made for bridging activities between the end of demobilization and the start of the reintegration programmes.

2. The cost estimates for the expansion of the Observer Mission provide for an increase in the current budgeted strength by 58 military observers, 54 international staff, 613 local staff and 28 United Nations Volunteers. Of the additional civilian staffing, 494 local staff and 15 United Nations Volunteers will be for the three-month disarmament and demobilization programme.

3. A breakdown of the estimated cost by main categories of expenditure is provided, for information purposes, in the annex to the present addendum.

4. It is my intention to propose to the General Assembly, should the Security Council decide to approve my recommendation, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the Special Account for UNOMIL.

ANNEX

Cost estimates for the expansion of the United Nations Observer Mission in Liberia (UNOMIL) for a six-month period and monthly thereafter

(Thousands of United States dollars)

	For the first six-month period			
	Non-recurrent cost	*Recurrent cost*	*Total cost*	*Monthly thereafter*
1. Military personnel costs	–	1 190	1 190	275
2. Civilian personnel costs	–	6 545	6 545	745
3. Premises/accommodation	225	1 335	1 560	220
4. Infrastructure repairs	–	–	–	–
5. Transport operations	3 780	370	4 150	60
6. Air operations	40	1 435	1 475	240
7. Naval operations	–	–	–	–
8. Communications	1 300	270	1 570	40
9. Other equipment	1 385	15	1 400	5
10. Supplies and services	–	300	300	30
11. Election-related supplies and services	–	–	–	–
12. Public information programmes	20	25	45	5
13. Training programmes	–	–	–	–
14. Mine-clearing programmes	–	–	–	–
15. Assistance for disarmament and demobilization	255	7 295	7 550	–
16. Air and surface freight	–	30	30	5
17. Integrated Management Information System	–	–	–	–
18. Support account for peacekeeping operations	–	–	–	–
19. Staff assessment	–	620	620	75
Total, lines 1-19	**7 005**	**19 430**	**26 435**	**1 700**

DOCUMENT S/1996/869

Letter dated 23 October 1996 from the representative of Rwanda to the President of the Security Council

[*Original: English*]
[*23 October 1996*]

I have the honour to forward herewith a short synopsis of the background and history of the current events which have led to the crisis in eastern Zaire.

THE SYNOPSIS OF A CRISIS

PART I. NORTH KIVU

November 1884- February 1885	The Berlin Conference on the demarcation of the African Continent.
1886	Rwanda became a German colony
1910	Belgium, Germany and Great Britain sign a treaty to redraw the boundaries of their colonies. Thus, populations of parts of Rwanda, namely Idjwi island, the Masisi and Rutshuru areas, etc., became part of Belgian Congo.
1916	Rwanda and Burundi became a trusteeship of the League of Nations under Belgium.
1923	The beginning of forced labour migration. Kinyarwanda-speaking populations were taken to work in the colonial plantations in Belgian Congo. The forced migration continued up to 1950s. The Belgian Administration granted colonial citizenship to these migrant workers as citizens of Belgian Congo.
1971	Former Congo-Leopoldville becomes Zaire.
1981	Zaire passes legislation which "denationalized" its citizens. Article 4 of the legislation denies citizenship to people who were not of Zaire ancestry prior to 1885 or had not been in Zaire prior to that date. In other words, they denied citizenship to those Zairians who had become Zairians by virtue of the redrawing of colonial boundaries in Berlin in 1885 (or 100 years ago!).
1982	Ex-President Habyarimana of Rwanda helped to fund the Magrivi Association of farmers in eastern Zaire.
February 1994-1996.	Zairian authorities started to target and exterminate the denationalized Banyamulenge Zairians of Tutsi origin of southern Kivu.
April-July 1994	Execution of the Rwanda Genocide Plan in which more than 1 million Tutsis and Hutu sympathizers were wiped out in 98 days with brutal efficiency. The United Nations Assistance Mission for Rwanda (UNAMIR) peacekeeping forces withdraw from Rwanda.
14 July 1994	Fall of Kigali under the forces of the Rwandese Patriotic Front, which stopped the genocide. The militia, the former Rwanda Government Army and their political leadership trap 2 million Rwandans in eastern Zaire. They were helped to settle amidst the Kinyarwanda-speaking Zairian population of the same "ethnic" composition and language as those in Rwanda.
12 May 1996	A monastery in Mokoto was attacked and 300 Kinyarwanda-speaking Zairians of Tutsi origin were killed inside the monastery. Destruction of their homes, slaughter of their cattle, rape and systematic killing was launched.

Notes

(*a*) It is very important to point out that between 1886 and 1996, or for 100 years, Zairians of all ethnic compositions had never thought about the ethnic cleansing of their Kinyarwanda-speaking Zairians. The plan to exterminate was hatched recently.

(*b*) It all started following the implantation of ethnic hatred and genocide by the former Rwanda militia, Interahamwe and elements of the former army and its political leadership when they moved to Zaire after committing genocide in Rwanda in 1994.

(*c*) Recent events in eastern Zaire are not accidental. Zaire's denationalization of its own citizens in 1981 constitutes a dangerous precedent which will have wider implications throughout the African continent.

PART II. SOUTH KIVU

By 1543	The Banyamulenge were already settled in the south-eastern region of Zaire (four and a half centuries ago). They happened to be of Tutsi origin. They settled in the fertile Rusizi valley and the high plateau of the Mitumba mountains.
July/August 199	The events of North Kivu as described under Part I above spread to South Kivu. The former militia, elements of the former Rwandese army together with their political leadership had already sown the seeds of hatred and genocide in this area.
23 August 1996	Mr. Kyembo Wa Lumuna, Governor of South Kivu Province, visited Minenbwe, the heartland of the Banyamulenge. He made a statement calling on the Banyamulenge to stop fighting the Zaire Government. Yet there was no fighting at all. The statement was an excuse for the reconnaissance tour of the area. Three Army colonels and five majors were in his delegation.
By the end of August 1996	Detachments of the Zairian Army, exiled Rwandan military and Interahamwe militia embarked on killing and extermination of the Banyamulenge.

13 September 1996:	The Zaire Government made a statement accusing neighbouring countries and the United Nations.
11 October 1996:	The United Nations denounced the accusations of UNHCR involvement.

PART III. HAS THE INTERNATIONAL COMMUNITY BEEN WARNED ABOUT THE IMPENDING CRISIS?

January 1996:	The preliminary report of the International Commission of Inquiry on the sale of arms and related *matériel* in the Great Lakes region warned of the impending crisis in the area. .
April 1996:	The Security Council adopted resolution 1053 (1996) of 23 April 1996 which recognized that there were destabilizing military training camps in eastern Zaire.
June 1996:	Amnesty International reported on 14 June 1996 about the ethnic cleansing in eastern Zaire (Masisi) and the responsibility of the Zaire Government in the matter. Amnesty International warned of the explosive nature of the crisis.
8 June 1996:	The United States Committee on Refugees produced chilling evidence of continued ethnic cleansing of Kinyarwanda-speaking Zairians in eastern Zaire and the complicity of the Zairian Army and former Rwanda Government Army as well as its militia.
June 1996:	The contents of the above-mentioned reports were brought to the attention of the Security Council.

Whereas the current situation in eastern Zaire is purely internal, the international community cannot remain aloof without seeking solutions aimed at halting the intensification of ethnic cleansing and genocide in eastern Zaire.

In view of the crisis in eastern Zaire, the Government of Rwanda has just made an urgent appeal to all Rwandan refugees to return to Rwanda instead of continuing to stay in refugee camps and in other scattered places. The Government of Rwanda would like to appeal to the international community to assist in the repatriation of the Rwandan refugees who are trapped in the Zairian crisis.

I should be grateful if you could circulate the text of the present letter as a document of the Security Council.

(*Signed*) Gideon KAYINAMURA
Permanent Representative of Rwanda
to the United Nations

DOCUMENT S/1996/875

Letter dated 14 October 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*25 October 1996*]

I have the honour to refer to developments in eastern Zaire, and especially in South Kivu Province, where the situation has been deteriorating to an alarming degree during recent weeks.

New tensions have arisen in the Uvira, Mwanga and Fizi districts of South Kivu Province which for several generations have been home to about 350,000 people known as the Banyamulenge. They speak the language of Rwanda and include both Hutus and Tutsis, though the majority are Tutsis. They were already settled in this area when Zaire became independent in 1960. In 1972, like all persons living within Zaire's borders, they were granted Zairean nationality. A nationality law of 1981 subsequently withdrew this status from them but the law was not enforced until the early months of 1996. There has since been pressure on the Banyamulenge to leave Zaire and move to Rwanda. Their situation is thus similar to that of the Masisi people in North Kivu whose plight has previously attracted the Council's concern.

Hostilities have now broken out in the area inhabited by the Banyamulenge, which has been declared a military zone. Since the first half of September the Zairean Armed Forces have launched an offensive against armed Tutsi groups there and this has allegedly led to attacks on Banyamulenge civilians. It is equally alleged that armed Tutsi groups have attacked civilian targets. As a result tension has increased on the border between Rwanda and Zaire, including cross-border exchanges of heavy weapons fire and mutual accusations between the two Governments.

On 13 September 1996, Zaire accused the Office of the United Nations High Commissioner for Refugees (UNHCR) of providing logistical support to armed Banyamulenge groups infiltrating Zaire from Rwanda and Burundi. It also accused UNHCR of having repatriated to Rwanda in 1994-1995 about 3,000 young Banyamulenge, who were later trained by the Rwandan Patriotic Army (RPA). Given the seriousness of these allegations, on 21 September 1996 I dispatched Assistant Secretary-General Ibrahima Fall to Kinshasa as my Special Envoy, with a letter that I had written to Prime Minister Kengo wa Dondo. Following discussions with my Special Envoy, the Government of Zaire agreed that UNHCR had not in fact been involved in the alleged activities.

Meanwhile, violence in the area has continued to grow. On 6 October, armed persons, alleged to be Banyamulenge, attacked the hospital at Lemera (mid-way between Bukavu and Uvira) and reportedly killed 34 patients, 4 male nurses and 2 doctors. They also killed 2 priests and 12 other people in Kidore Catholic Church.

On 10 October 1996, I issued a statement in which I called on the parties to do everything in their power to keep the situation calm while solutions were being sought for both the immediate and the underlying problems. On the same day, however, I learned with concern that General Eluki Monga-Ondo, the Chief of Staff of the Zairean Armed Forces, had again accused UNHCR of involvement in what he described as "an aggression against Zaire". The next day, I issued a further statement, in which I expressed concern over the deteriorating situation and the fighting between the Zairean Armed Forces and groups of Banyamulenge. I recalled the positive results of my Special Envoy's mission and urged the Zairean authorities to withdraw their allegations, which could pose a grave threat to the security of United Nations staff in the area.

During the night of 12-13 October, the refugee camp of Runingo on the Ruzizi Plain, with a population of approximately 15,000 Hutu refugees from Burundi and Rwanda, was attacked by assailants who were reportedly Banyamulenge. Four refugees were killed and six were wounded. According to the Zairean Refugee Camp Security Contingent (ZCSC) sources, an estimated 200-300 Banyamulenge allegedly crossed the Ruzizi river from Burundi, attacked the camp and then moved to the hills behind Uvira. The population of the site fled to nearby camps in fear of further attacks. The ZCSC provided reinforcements to protect the camp on the night of 13 October, and the refugees have now returned to the site.

Meanwhile, this growth in violence is having a damaging impact on the ability of humanitarian agencies to pursue their work in this needy area. Internationally recruited staff have had to be temporarily withdrawn to more secure locations and the United Nations system is preparing contingency plans for a potential humanitarian crisis. On 7 October the United Nations High Commissioner for Refugees proposed a comprehensive approach to overcome the present stalemate in addressing the problem of refugees in the Great Lakes region as a whole. Her proposal has been discussed with high-level representatives from affected countries who attended the annual meeting of the UNHCR Executive Committee last week. It received widespread support there and it is now being discussed in the capitals concerned. UNHCR eagerly awaits the outcome of these discussions.

I have come to the conclusion that this deteriorating situation requires me to offer my good offices to assist the Government of Zaire in addressing the political and security aspects of the problems in the eastern part of the country, not only because of the threat they present to peace and the security in the region but also because they could have a negative impact on the efforts already launched by the United Nations, at that Government's request, to provide assistance to the elections planned for 1997. I have accordingly asked Assistant Secretary-General Fall to return to Zaire in the coming days and, after consulting the Government of Zaire, to report to me on action which the United Nations could usefully take.

I shall report further to the Security Council after receiving Mr. Fall's report.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/878

Letter dated 24 October 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*25 October 1996*]

I have the honour to refer to my letter of 14 October 1996 on the developments in eastern Zaire. I regret to inform the Council that since then the situation has further deteriorated.

During the past week, military activity within and it seems across borders has escalated. The result is that the humanitarian situation has further worsened.

An estimated 300,000 people are on the move in the Uvira and Bukavu regions of Zaire, bordering Rwanda and Burundi, in face of intensified fighting between Zairean troops and armed Banyamulenge. Those on the move include the 220,000 refugees—143,000 from Burundi and 75,000 from Rwanda—who over the weekend of 19-20 October fled 12 camps scattered along a 75 km stretch of road between Uvira and Bukavu. About 60,000 of them are reported to have gone to Bukavu, along with 10,000 Zaireans displaced as a result of the same conflict. Fighting has prevented refugees in eight camps in the Uvira region from proceeding to Bukavu. They are mainly Burundi refugees who are believed to be in the surrounding hills. In the Bukavu area, Rwandan refugees fearing an imminent attack by the Banyamulenge have abandoned at least three camps. The Office of the

United Nations High Commissioner for Refugees (UNHCR) is directing the new arrivals from Uvira to camps south-west of Bukavu, further from the border. At the same time, tens of thousands of people were seen walking towards these camps from the eastern side of Bukavu today.

On 17 October 1996, I dispatched my Special Envoy, Mr. Ibrahima Fall, to Kinshasa to assess the situation and consider what action the United Nations could take to defuse tension in eastern Zaire. On 22 October, the High Commissioner for Refugees, Mrs. Sadako Ogata, appealed to all sides to halt the violence immediately and avoid another humanitarian disaster in a region that had already suffered enough. The High Commissioner also expressed concern for the safety of humanitarian staff who had been unable to carry out their work because of the fighting. Following an intervention from both the UNHCR and my Special Envoy, arrangements were made for evacuation later that day of the remaining 58 international staff of UNHCR, other United Nations agencies and non-governmental organizations (NGOs).

The same day, the Rwandan Government urged the refugees to come back to Rwanda and reaffirmed its assurances that they could return in safety and dignity. Concerned about the dramatic humanitarian situation in eastern Zaire and encouraged by this statement by the Rwandan authorities, the High Commissioner is transmitting a message through the local media, reassuring the refugees that, while UNHCR would try to do everything possible to assist them where they are, the Office would be ready to help them back in Rwanda and had for that purpose increased its reception and assistance capacities inside Rwanda.

Over the last several days, I have been in contact with the parties and interested Governments urging restraint and a cessation of hostilities that would allow time and space for the necessary political dialogue.

The failure to address the root causes of the conflicts in the region of the Great Lakes, in political and economic as well as security terms, has once again unleashed a spiral of violence and human suffering that may spin out of control unless urgent measures are taken immediately to contain the situation.

I should be grateful if you would bring the contents of the present letter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/883

Report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium

[*Original: English*]
[*26 October 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraphs 4 and 9 of Security Council resolution 1037 (1996) of 15 January 1996. It summarizes the major activities of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in the region of Eastern Slavonia, Baranja and Western Sirmium (hereafter referred to as the region) since my last report of 1 October 1996 [*S/1996/821*], identifies the present challenges and future tasks of the mission and contains my recommendations.

II. POLITICAL ASPECTS

2. In my previous report to the Council, I noted that, for further progress to be made, the parties must improve their level of cooperation with UNTAES and take positive steps to foster a constructive atmosphere [*ibid., para. 16*]. I regret that I am not in a position to report an improvement in the level of cooperation of the Government of Croatia with UNTAES. On 27 September, the House of Representatives of the Croatian Parliament unanimously adopted a non-binding resolution calling for the termination of the mandate of UNTAES on 15 January 1997 and for elections to be held in the region by 15 December 1996. While Croatian officials have expressed support for UNTAES in private meetings and made conciliatory statements to local Serb leaders, the resolution was not opposed by the Government of Croatia nor did the Government explain the commitments it undertook when it signed the Basic Agreement of 12 November 1995 [*S/1995/951, annex*]. Throughout October there have been increasingly hostile and aggressive statements against UNTAES in the media, and by the Government, including statements by the Croatian Minister of Defence threatening military action if the region is not returned by April 1997. Further instances of non-cooperation by the Croatian authorities included last-minute withdrawal from joint Serb-Croat demining training organized and financed by the United States Demining Coordination Centre in Sarajevo,

and prohibition of Croatian participation in the UNTAES market day on 12 October on unsubstantiated grounds of a threat to public health. As a result, apprehension and anxiety among Serb residents in the region has increased, further strengthening hardline Serb elements.

3. On 7 October, as part of regular consultations, the Transitional Administrator met with President Slobodan Milosevic, who expressed full support for UNTAES, undertook to meet with local hardline Serb leaders to urge them to cooperate with UNTAES and stated his wish to see an extension of the mandate for an additional year. President Milosevic indicated that local Serb leaders had been advised that the Serb population should apply for Croatian documents and seek benefits, such as pensions and other allowances, from the Government of Croatia. President Milosevic also held out the prospect of Yugoslav citizenship to Serbs who acquire Croatian citizenship, should they decide to leave the region during the next three years following the normalization of relations between the Federal Republic of Yugoslavia and Croatia. While this is helpful in strengthening the position of moderate Serb leaders, hardliners have nonetheless continued to block progress in areas under their control, particularly in parts of the Baranja.

4. On 8 October, the Transitional Administrator met with President Tudjman and key members of the Government of Croatia to seek full cooperation in fulfilling its obligations and commitments. The Transitional Administrator outlined his serious concerns about the confrontational atmosphere that had been developing and criticized the orchestrated attack on UNTAES in the Croatian media, which appeared to be related to domestic political factors and not to the activities of UNTAES on the ground. The President promised full cooperation with UNTAES to enable speedy completion of its tasks and indicated that he was prepared to make significant conciliatory gestures towards Serbs in the region.

5. President Tudjman sought the Transitional Administrator's support for the holding of elections in December 1996 and for the termination of the UNTAES mandate 30 days thereafter. The Transitional Administrator emphasized that decisions concerning the duration and nature of the UNTAES mandate lay with the Security Council based on recommendations from the Secretary-General. He said the completion of UNTAES tasks depended on the extent of the cooperation received from the parties, which had recently been lacking from the Croatian side in important areas. As a statement of operational intent, and in keeping with the responsibilities entrusted to him, the Transitional Administrator stated that he had the goal of completing the principal tasks of the UNTAES mandate by early spring 1997, while progressively returning the region to Croatian control with a completion date no later than the early part of summer. This statement of operational intent was, regrettably, misrepresented in the Croatian media.

III. MILITARY ASPECTS

6. The military situation outside the region continues to be calm and stable. Activity by the armed forces of Croatia and the Federal Republic of Yugoslavia is limited to routine training. On 9 October, however, there was a potentially dangerous development, when the Yugoslav Army deployed several tanks in the immediate vicinity of the border with Croatia east of Lipovac. According to the Yugoslav military authorities, the presence of the tanks was part of a normal autumn training exercise. The unannounced military deployment so close to the international border could have provoked similar action by the Croatian military, which in turn would have led to an increase in tension and affected mutual confidence. The tanks were promptly withdrawn after a protest by UNTAES.

7. The military situation within the region has remained quiet. The number of incidents of undisciplined fire with small arms, mostly in urban areas, has been low. The UNTAES military presence has continued to contribute to the maintenance of peace and security and provide confidence to the local population. Its activities have included continued monitoring to ensure the region remains demilitarized, supervision of demining, close air support training in cooperation with the Implementation Force (IFOR) and humanitarian assistance. On 2 October, a weapons buy-back programme was launched in cooperation with the Croatian authorities. During the first three weeks, over 6,000 rifles, automatic weapons, hand and rifle grenades, and portable anti-tank rocket launchers, as well as some 56,000 rounds of ammunition of various calibres, were exchanged for cash provided by the Government of Croatia. However, it is believed that considerable numbers of small weapons remain in private hands.

IV. CIVILIAN ASPECTS

8. Substantial progress has been recorded in the Joint Implementation Committees. On 16 October, after two months of difficult negotiations in the Joint Implementation Committee on Agriculture, representatives of the two sides signed a memorandum of understanding on Croatian Government financing of approximately $3.7 million for autumn season planting in the region and the reintegration of the agricultural holding companies. The purpose of the memorandum of understanding is to encourage the commencement of efficient and viable economic activity in agriculture between the region and the rest of Croatia by making available agricultural inputs and financing from Croatia and opening the Croatian market to produce from the region. The reintegration of the large public agricultural holding companies, which account for the majority of employment in the region, is expected to improve the prospects for employment of those remaining in and returning to the region. Reintegration of the companies is expected to be completed by 15 April 1997.

9. In the Joint Implementation Committee on Public Services and Utilities, both sides have agreed that the local Serb telecommunications and postal services will be reintegrated into the Croatian national components, with the Croatian side providing guarantees of continued employment for local Serb employees. Similar progress has been achieved on railways, while negotiations are continuing on

the reintegration of the regional electricity company into the national company. Preliminary discussions are under way in the Joint Implementation Committee on Human Rights with a view to establishing a mechanism for the redress of individual cases of human rights violations.

10. The UNTAES Croatian document centres have continued to operate at five locations in the region despite some obstacles imposed by hardline local Serb politicians, especially in the municipality of Beli Manastir in the Baranja. Although by 20 October over 15,000 residents of the region had applied for Croatian documents, a sizeable gap persists between presentation of applications and issuing of documents. The Government of Croatia has indicated that it will substantially increase the rate at which these documents are issued. It has also provided a mobile document centre that tours village-by-village as conditions permit.

11. Together with the Office of the United Nations High Commissioner for Refugees (UNHCR), the Civil Affairs Division has continued to facilitate returns of some 80 displaced persons to Western Slavonia from the region. Regrettably, these returns continue to be isolated cases. Local apprehension about returns elsewhere in Croatia has increased as a result of the continuing incidence of bombings, lootings, intimidation and murder of Serbs in former Sectors North and South. UNTAES also facilitated the return of two Croat displaced persons to their villages in the region. On 13 October, UNTAES conducted a visit by 20 refugees living in Hungary to their village of Kopacevo in the Baranja. Reconstruction in the villages of Lipovac, Apsevci and Podgrade has proceeded well and, with effect from 1 November, the Transitional Administrator intends to give full and open access to these villages to Croat displaced persons wishing to return to their homes. The villages will remain under the control of UNTAES: the Transitional Police Force will maintain law and order and UNTAES military patrols will be continued.

12. Since 16 July, a total of 92 United Nations Volunteers have been working with UNTAES. While their primary task is to conduct humanitarian surveys throughout the region, they are also providing assistance in UNTAES document centres, the establishment of a human rights database, property issues, general administration and the preparations of local elections.

A. *Elections*

13. The Chief Electoral Officer and his deputy arrived in the mission area in late September and met with senior Croatian Government officials and local Serb authorities. The first meeting of the Joint Implementation Committee on Elections was held on 16 October. The atmosphere was business-like and constructive although the initial positions of the parties were divergent. The Committee agreed to meet initially on a weekly basis with a view to more frequent meetings as discussions progress. An immediate priority for UNTAES is to establish the administrative and technical infrastructure required for elections.

B. *Transitional Police Force*

14. The present strength of the Transitional Police Force is 1,512, consisting of 1,337 Serbs and 175 Croats. The current aim is to increase the number of Croats by 40 to 50 per month. An agreement reached on 28 August between UNTAES and the Ministry of the Interior concerning Croatia's contribution to the payment of operating costs of the Police Force was reversed by that same Ministry during a follow-up meeting on 16 October. The Ministry's position is that the payment of those costs is included in the monthly 4.5 million kunas the Government agreed to contribute to the financing of the region. As this payment is already insufficient to cover the needs of the region's public services, the Transitional Administrator will continue to press the Government to provide supplementary funds for the operating costs of the Force as agreed. In this context, Croatian funds for salaries for August were received only on 8 October, instead of the due date of 10 September. Salaries for September were paid in the third week of October. Delays in the reception of equipment and resources and late payment of monthly salaries have undermined UNTAES efforts to build good morale and reliability in the Transitional Police Force. This increases uncertainties about its future.

15. In spite of these difficulties, the operational efficiency of the Force has continued to improve. Because of the difficult material circumstances described above and the resistance of some individuals in the region, expectations regarding the Force must be realistic and its limitations recognized. To improve its professionalism, training courses on human rights and crowd control have been conducted in the region by the International Criminal Investigation and Training Assistance Programme of the United States Government. Further training is planned for the coming months.

C. *Border monitoring*

16. With a present strength of 39 monitors, staffing of the border monitoring unit remains below 50 per cent of its mandated strength. With such numbers, UNTAES cannot maintain effective round-the-clock observation of the international border crossing points in the region. Movement of persons across the border is expected to increase in coming months and efforts will be made to bring the monitors up to strength. During October, discussions have been held between the Croatian Ministries of Finance and of the Interior, UNTAES and the local Serb authorities with a view to establishing a transitional customs and immigration service of Serbs and Croats by 1 November, or as soon thereafter as practicable.

17. The border monitoring unit has, within its limited capacity, carefully monitored the cross-border movement of families into and out of the region. Between 16 June and 24 October, a total of 166 families were observed moving to the Federal Republic of Yugoslavia from the region. Twelve families moved into the region. One hundred and fifty of the family movements from the region occurred between 1 September and 24 October 1996. Most movements from

the region have occurred from the area of Baranja, in the northern part of the region. However, the possibility of departures from the southern part cannot be ruled out, owing to the presence of unofficial land crossings between the region and the Federal Republic of Yugoslavia in this area and the difficulties faced by UNTAES in monitoring these crossings as a result of insufficient personnel.

D. *Public affairs*

18. UNTAES Radio has expanded its broadcasting capacity to three hours daily, during prime time, on Radio Vukovar. This has enabled the mission to disseminate more effectively feature stories of particular relevance to the local population, including the ongoing weapons buy-back programme in the region. The technical quality of UNTAES Radio broadcasts has also been improved by the installation of its own production studios with a capability for live broadcasts from UNTAES headquarters via telephone to Radio Vukovar. Separately, the UNTAES market days have continued to be a useful avenue for enhanced dissemination of UNTAES information products. Public affairs assistance to the team from the International Tribunal for the Former Yugoslavia that conducted exhumations at the mass grave at Ovcara, contributed to a balanced, dignified and non-sensational coverage of the exhumations.

V. CHALLENGES AND TASKS

19. The process of peaceful reintegration following five years of war is necessarily complex and difficult. In the UNTAES area of responsibility, the tasks of reintegration are even more challenging because of the large number of displaced persons living within and outside the region who wish to return home and also because of the level of physical destruction and the psychological and emotional scars caused by the war. UNTAES has made considerable progress in the six months since its full deployment in the region, but major challenges lie ahead. As an aid for planning, UNTAES has developed specific targets, including tasks to be achieved and dates for their achievement, for the completion of its principal responsibilities.

20. On the military side, since demilitarization, the tasks have become primarily routine and directed at further decreasing the number of weapons that remain in the region through the weapons buy-back programme financed by the Government of Croatia. With respect to the Transitional Police Force, the development of a dependable multiethnic force able to maintain law and order effectively and give confidence to returning Croats and remaining Serbs is a long-term task. One essential prerequisite is that the Government pay salaries and operational costs in a timely fashion, another being that Serbs who are currently members of the Force and who intend to remain in the region should apply for Croatian citizenship documents. In November, a transitional customs and immigration service comprised of Serbs and Croats will be established under principles similar to the Transitional Police Force and deployed at all international border crossings in the region. Owing to the complexities of customs regulations, substantial training will be required before the service is fully professional. For five years, access to the region from Serbia and vice versa has been based on procedures that provide insufficient control for an international border. The introduction of tighter procedures will have to be carefully phased in to avoid increasing the apprehension of local Serbs.

21. Integration of the administrative systems of the region has begun, but involves highly complex technical and legal questions. The first priority has been to establish Croatian document centres in the region to issue citizenship papers, passports, birth and other certificates, and health and social service documents. As mentioned in paragraph 10 above, in the first two months of operations, over 15,000 applications were received. Approximately two thirds of these have been processed. With a potential pool of over 100,000 applicants, this process would take some 20 months to complete if the current issuing rate is maintained. Intensive discussions are continuing with the Government of Croatia to establish a programme for the issuance of up to 100,000 citizenship documents by March 1997 in accordance with Croatian legal procedures, in order to provide their recipients with the necessary confidence that these documents will be valid after the UNTAES departure.

22. Discussions on the reintegration of the local legal system between the Croatian Minister of Justice and the local judiciary began in October. At issue is the validity of legal decisions taken during the "Republic of Serb Krajina" period, including the validity of documents issued, the introduction of Croatian laws and regulations and the reintegration of the administration of justice, including penal institutions. As part of the full reintroduction of Croatian law, a substantial media campaign will have to be undertaken to inform residents of legal changes that have occurred over the past five years. Separately, a potentially difficult process will be the registration of local vehicles with Croatian Motor Vehicle Authorities, which could expose the Serb vehicle owners to harassment by Serb extremists. UNTAES is pursuing a policy of progressively easing vehicle access to and from other parts of Croatia. However, once vehicles from the region are registered in Croatia, UNTAES control of vehicle access by undesirable elements from outside the region will be more difficult.

23. It is intended that the transition of local administrative structures in the region should commence in November with the phased introduction of Croatian officials as liaison officers to local departments of administration, while harmonizing local practices with Croatian standards prior to formal reintegration. Integration of state and semi-state enterprises requires negotiations at individual company level. A more forthcoming attitude by the management of the local Serb petroleum company NIK could have facilitated the transfer of assets to the Croatian company INA, which has still not occurred after three months of negotiations. While some encouraging progress has been achieved, integration of local roads, railways, water supply and transport companies

is unlikely to occur before January 1997. It is expected that the integration of electricity and telephone companies will take longer.

24. The tasks of economic reconstruction and revitalization are expected to continue well beyond the UNTAES presence. Meanwhile, UNTAES is playing an important role in preparing project documentation, arranging an international donors' conference to be held in December and facilitating studies by international financial institutions. To promote reintegration, UNTAES will continue to phase in the Croatian kuna and intends to establish Croatian banking facilities in the region in November, with the aim of completing the conversion of the payments system before January 1997. A high priority is the generation of employment opportunities for both those who remain and those returning to the region.

25. The choice of the date for the elections is dependent first and foremost on the resolution of outstanding policy issues [*S/1996/705, para. 16*] and, subsequently, on technical, procedural and support questions flowing from the agreed policy framework. Essential policy preconditions that require agreement are as follows: the criteria for determining eligibility of persons to vote; the representative institutions to be elected and the system of representation; the legal framework to be applied for the elections; and the principles of electoral delimitation for the units of local government. The negotiations between the parties on these fundamental preconditions, which began recently, reveal that on each of these issues the parties hold very firm and divergent positions. Once these fundamental policy issues have been resolved, approximately 140 days will be required for the resolution and implementation of pending technical and support aspects, such as public information programmes, registration of voters, candidacy nomination and campaigning, staff training, data and systems verification and materials supply, to ensure that the electoral process is conducted in a fair manner.

26. Progress in the broader key areas will thus obviously affect the ability to deliver the electoral outcomes required within the target period. It is likely that the Government of Croatia will insist that the possession of Croatian citizenship documentation be an essential prerequisite for registration of voters. Current forecasts indicate March 1997 as the earliest realistic date by which all eligible inhabitants of the region who wish to apply will have received citizenship documents. Even allowing for some simultaneous processing of citizenship and voter registration documentation, a subsequent period of at least four weeks will be required for the full validation of voter registration records and the preparation of voter rolls prior to candidacy nominations.

27. The return of displaced persons is a step-by-step process that depends upon the availability of housing, the extent of demining where necessary, the effective maintenance of law and order and social and psychological preparation of both those who return and those who stay. It is expected that by the onset of winter, when demining and external reconstruction will not be possible, over 2,000 Croat displaced persons will have been able to return to their homes. The winter period will be used to prepare for substantial returns in the spring and summer of 1997. A forthcoming attitude by the Government of Croatia regarding the return of Serbs to other parts of Croatia would greatly assist in releasing housing for Croat returnees to the region.

28. Looking ahead, the UNTAES assessment is that with full cooperation from both sides, it should be possible for it to complete its primary tasks by early summer of 1997. Thereafter, it will be necessary to envisage modalities for the transition to the long-term monitoring and observation arrangements envisaged in paragraph 10 of the Basic Agreement.

VI. OBSERVATIONS

29. In paragraph 9 of its resolution 1037 (1996), the Security Council requested the Secretary-General, *inter alia*, to report on the implementation of the Basic Agreement. The UNTAES mission has been in existence for nine months. In the six months since the full deployment of UNTAES troops and civilian staff, demilitarization has been completed, the Transitional Police Force has been established, integration of waterways, railways and roads is in hand and postal and telephone services have been reconnected with Croatian systems. This has permitted the resumption of communication, travel and commerce between people who have been separated for five years. Strenuous efforts have been made to attract international financial assistance for the economic reconstruction and revitalization of the region. The first disbursements are now being made. Croatian funding has also been secured for local agriculture.

30. The process of face-to-face political dialogue was instrumental in the achievement of a satisfactory amnesty law. Over 10 per cent of residents have applied for Croatian citizenship and the number is increasing. More than 45,000 Serbs and Croats have participated at the seven UNTAES market days, thus contributing to a reduction of individual hostility and suspicion. Over 13,000 individual family reunion meetings have taken place. The first four pilot project villages with over 600 houses have been demined and reconstruction is at a stage where Croat displaced persons may return in November. In the central part of the region, demining has commenced in several villages containing over 1,000 houses for returns expected in the spring.

31. Building on the progress that has been achieved, UNTAES has set a realistic target plan for the fulfilment of the remaining tasks of its mandate. But it must be stressed that the achievement of the plan is dependent on the full and timely cooperation of the parties. While extremists on both sides seek to disrupt UNTAES implementation of the Basic Agreement programme, it is of particular concern that the Government of Croatia, which should be leading the way to peaceful reintegration and reconciliation, has not been fully forthcoming in meeting its commitments and obligations. An atmosphere of confrontation and obstruction has developed that appears to be related more to domestic political concerns than to the work of UNTAES. This has increased the anxiety and fears of current residents of the region, play-

ing into the hands of Serb hardliners whose obstructionism, in turn, fuels extremists on the Croatian side.

32. A most urgent requirement for the successful completion of the UNTAES mission is to terminate the uncertainty about the duration of its mandate. As I noted in my report to the Security Council on 5 August 1996 [*S/1996/622*], this issue is inhibiting the ability of the mission to operate effectively and has become a major source of political ferment in the region. It is clear that the completion of the tasks of UNTAES within the present mandate period is impossible. UNTAES is already having to plan and prepare for events, such as elections, that extend well beyond 15 January 1997. Moreover, a decision by the Council to extend the mandate will discourage those who hold the false belief that political pressure will cause the mission to compromise on the performance of its tasks and full realization of its mandate, and therefore seek to obstruct it.

33. The international community has made a substantial commitment to the peaceful reintegration of the region of Eastern Slavonia, Baranja and Western Sirmium into Croatia in accordance with the Basic Agreement. The presence of UNTAES has also significantly contributed to the normalization of relations between the Republic of Croatia and the Federal Republic of Yugoslavia and has played an important role in promoting wider regional stabilization, including in Bosnia and Herzegovina. However, the climate of uncertainty and agitation that has developed over the past two months threatens to undermine the progress of the mission.

34. In a presidential statement of 15 August [*S/PRST/1996/35*], the members of the Security Council affirmed its readiness to consider extending the mandate of UNTAES on the basis of a recommendation I might wish to make. It is my belief that, provided full cooperation by the Government of Croatia and local Serbs is forthcoming, UNTAES should be able to complete its primary tasks by July 1997. The situation at that time may, however, be volatile and a continued international presence may prove vital for the maintenance of peace and stability, especially in the transition to long-term monitoring and observation, as envisaged in the Basic Agreement. Depending on developments, an appropriately restructured UNTAES may be in the best position to provide that presence.

35. In view of the above, I therefore recommend that the Council extend the current mandate of UNTAES by six months, to end on 15 July 1997, in the expectation that the Government of Croatia will extend its cooperation as necessary for the completion of the different tasks for UNTAES. The Council may also wish to give consideration, at this time, to the need to make appropriate arrangements for a further six-month presence until the end of a two-year transitional period. This follow-on mission would be designed to monitor the parties' compliance with their commitments as outlined in the Basic Agreement and to promote an atmosphere of confidence among all local residents, while facilitating the establishment of a long-term monitoring and observation presence. For the reasons described above, an early decision would be needed in order to avoid a further period of pressure and political turmoil during which UNTAES would be diverted from its main tasks.

36. I would like to take this opportunity to pay tribute to the troop-contributing countries for their contribution to the success of UNTAES. I should like also to pay tribute to the Transitional Administrator, Jacques Paul Klein, and to the dedicated civilian and military personnel of UNTAES for their performance, commitment and service to the international community.

DOCUMENTS S/1996/887 AND Add.1

Report of the Secretary-General on the situation in Burundi

*DOCUMENT S/1996/887**

[*Original: French*]
[*29 October 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1072 (1996) of 30 August 1996, in which the Council decided to re-examine the question of Burundi on 31 October 1996 and requested me to report by that time on the situation in Burundi, including on the status of the immediate and unconditional negotiations which the Council required all of Burundi's political parties and factions without exception, whether inside or outside the country and including representatives of civil society to initiate, with a view to reaching a comprehensive political settlement.

2. Furthermore, in paragraph 7 of resolution 1072 (1996), the Security Council requested me, in consultation with the international community, to undertake preparations when appropriate for the convening of a pledging conference to assist in the reconstruction and development of Burundi following the achievement of a comprehensive political settlement.

3. In paragraph 8 of resolution 1072 (1996), the Council encouraged me, in consultation with all those concerned, including the neighbouring States, other Member States, the Organization of African Unity (OAU) and international humanitarian organizations, to establish mechanisms to ensure the safe and timely delivery of humanitarian relief throughout Burundi.

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* Incorporating document S/1996/887/Corr.1 of 1 November 1996.

4. In paragraph 12 of resolution 1072 (1996), the Council encouraged me and Member States to continue to facilitate contingency planning for an international presence and other initiatives to support and help to consolidate a cessation of hostilities, as well as to make a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi.

5. Since the adoption of resolution 1072 (1996), my Personal Representative has made regular oral reports to the Council.

6. The present report was drawn up using information available to the Secretariat on 22 October 1996. An addendum concerning developments in the past few days will be issued shortly.

II. POLITICAL SITUATION

7. One of the most important developments in the political situation since the *coup d'état* of 25 July 1996 has been the determination shown by the new regime to consolidate its power and comply with the requirements of the countries of the subregion for the lifting of the sanctions. In its resolution 1072 (1996), the Security Council expressed its strong support for the efforts of regional leaders, including at their meeting in Arusha on 31 July 1996, of OAU and of former President Nyerere, to assist Burundi to overcome peacefully the grave crisis which it is undergoing, condemned the overthrow of the legitimate government and constitutional order in Burundi, and at the same time invited the parties to the conflict to lay down their weapons and to enter resolutely into serious negotiations for the restoration of peace.

8. In order to consolidate its position as ruler of the State of Burundi and comply with the requirements of the international community, the Government of President Pierre Buyoya has announced and taken a number of measures. For example, the Chiefs of the General Staff of the Army and the Gendarmerie cited in the report of the International Commission of Inquiry in Burundi have been removed from their posts. However, it should be noted that no inquiry or legal proceedings seem yet to have been instituted in the case of these two officers. President Buyoya has also adopted an Action Plan, which the Prime Minister made public on 4 September 1996. He took a decision to restore the National Assembly in its original form and to lift the ban on political parties. One month later, however, it is obvious that the Assembly has not been restored with all its pre-*coup d'état* powers, regulations and responsibilities in place. The same is true of the political parties, for their freedom of action is severely restricted. But these measures do show that a step has been taken in the right direction.

9. Although theoretically restored in its earlier form, the National Assembly has only just resumed its work. It should be emphasized in this connection that the functioning of this body, which is the only State institution to retain a measure of constitutional legitimacy, risks being seriously compromised by the exile of a large number of its elected members and the members who were nominated to take their places. Furthermore, although the President of the National Assembly, Mr. Léonce Ngendakumana, has at last returned to his Residence, the former President of the Republic, Mr. Sylvestre Ntibantunganya, is still at the Residence of the Ambassador of the United States in Bujumbura, where he took refuge.

10. In preparation for the Third Arusha Regional Summit on Burundi scheduled for 12 October, President Buyoya has stepped up his contacts with some members of the diplomatic corps and special envoys in the Great Lakes region. For example, he met in Bujumbura Mr. Wolpe and Mr. Ajello (Special Envoys of the United States and the European Union respectively) and my own Special Envoy, Mr. Lakhdar Brahimi, in order to clarify his position on the opening of negotiations and lifting of the sanctions.

11. However, the heads of State of the region, convinced that the sanctions had an immediate and tangible impact in terms of political pressure and noting that, regrettably, serious negotiations have not yet begun between all the parties, decided on 12 October to keep the sanctions in place.

12. Today the sanctions against Burundi prompt in diplomatic observers two types of reaction, or two approaches. On the one hand there are the advocates of the firm approach, who think that the sanctions must be maintained more or less in their present form until the new regime clearly and unequivocally initiates the process of negotiation. And then there are the supporters of the lifting of the embargo, who consider that the measures for the restoration of the National Assembly and political parties must be regarded as positive initiatives and that it is important to give these initiatives a broader welcome than the one offered by the States of the region when they relaxed the sanctions a little and authorized the import of fertilizers and seeds.

13. With regard to initiating negotiations with the armed rebels, the new regime stated that it was willing to join in any effort to restore peace. The Conseil national pour la défense de la démocratie (CNDD) also indicated its readiness to begin negotiations to end the hostilities, although with the qualification that it would negotiate only with representatives who had not participated in the events of October 1993. Contradictory statements on all sides at times suggest that there is no genuine and firm determination to begin serious political discussions immediately. The prevailing impression is that each side is seeking to consolidate its position. The Burundi armed forces currently are recruiting an estimated 5,000 to 7,000 additional men and are training some 2,000 high school graduates, which would bring the size of the Burundi army to nearly 30,000 troops. This figure shows that the army, thus far comprised primarily of a single ethnic group, has virtually doubled in size in one year. The provincial governments are continuing to grow more militant. This trend is often unwelcome, as was demonstrated by the assassination on 22 October of the military governor of Cibitoke province and the four soldiers accompanying him. The CNDD, too, has begun in recent months to bolster its military capability significantly.

14. It is undoubtedly against this background that one must view the initiatives being taken by certain elements of Burundi society that are demanding the disclosure of the truth concerning the October 1993 genocide, as well as the Government's recent decision to establish a national commission to take action in the light of the recent report of the International Commission of Inquiry for Burundi. Such initiatives are consistent with the attention being focused on impunity and injustice, two themes which pervade political discourse in Burundi and which were highlighted once again on 21 October during the commemoration of the third anniversary of the assassination of President Melchior Ndadaye.

15. The leaders of the subregion met in Arusha on 12 October, together with the facilitator, Mwalimu Julius Nyerere, and the Secretary-General of OAU, to review the political situation and the implementation of the economic sanctions. On that occasion, they announced in a joint communiqué that President Buyoya and Mr. Léonard Nyangoma (neither of whom were invited to Arusha after all) had written to President Nyerere and the heads of State of the region solemnly confirming that they were both prepared to take part in unconditional negotiations. The communiqué also stated that the participants (the Presidents of Kenya, Rwanda, Uganda, the United Republic of Tanzania and Zambia and the Prime Ministers of Cameroon, Ethiopia and Zaire) would take appropriate measures against any group or faction that refuses to participate in the negotiations or hinders the peace process. The communiqué stated that the negotiations were to begin the following month, pursuant to the Mwanza Peace Process, and that the preparations for them were to begin immediately. The communiqué added that the leaders of the subregion had decided to send a ministerial mission consisting of Cameroon, Kenya, Uganda, the United Republic of Tanzania and Zaire to Bujumbura to monitor the implementation of the Arusha decisions.

16. The Arusha Summit confirmed that the sanctions would remain in effect until the negotiation process was well under way, but also, that the States of the region would react positively if the new regime became seriously involved in the negotiation process. In Bujumbura, the Government immediately reacted to the decision to maintain the sanctions by expressing its profound disappointment and warning the international community of the explosive situation in the subregion. Moreover, it asserted that the sanctions were an obstacle to negotiations and that, consequently, it would not join the peace talks until the sanctions had been lifted.

17. Against this background, the Ministers for Foreign Affairs of the countries of the region met in Dar-es-Salaam to decide how to respond to the reaction of the Burundi regime: they initially decided to cancel or postpone their ministerial mission, which was to have gone to Bujumbura on 16 October. However, they changed their minds when, a few days later, the Government, reacting favourably to the initiatives of the United Nations and OAU, issued a communiqué stating that the mission would be welcome. The ministerial visit, which took place on 18 October, helped to defuse the situation somewhat.

III. SECURITY SITUATION

18. Since my last report, the security situation has remained precarious and a matter of grave concern to the new regime, which has asserted its desire to restore peace and security during the transition period.

19. In Bujumbura, gang activity and endemic terror are noticeably decreasing; armed attacks against expatriates and thefts of foreigners' vehicles have virtually ceased. This development can be credited to the new authorities, who have implemented a policy to dismantle gang networks, which had been well known and even protected.

20. Unfortunately, this improvement has not reached the rest of the country, where insecurity continues to be a constant fact of life. Thus, the provinces in the north-west (Cibitoke, Bubanza and Kayanza), which border the rebel sanctuary in the Kinira forest and are near the borders of eastern Zaire and south-western Rwanda, are virtually inaccessible for humanitarian aid purposes. Until very recently, the Office of the United Nations High Commissioner for Refugees (UNHCR) tracked movements of people fleeing towards Zaire and the United Republic of Tanzania to escape the confrontations between the rebels and the armed forces. Hospital centres continue to receive military and civilian casualties from this region, many of them victims of anti-personnel mines. Military vehicles reportedly have been blown up by mines. Similarly, reported ambushes against military personnel and civilians have turned RN2, the road between Bugarama and Gitega, into one of the most dangerous and deadly roads in the country. This is the road on which Msgr. Joachim Ruhuna, the Archbishop of Gitega, lost his life. The persons who committed this unspeakable crime have yet to be identified.

21. On 3 and 4 September the rebels attempted an attack on the capital. This attempt prompted major reprisals by the forces of order in the rural suburbs of Bujumbura; combat helicopters and heavy weapons were used, a sign of the scope of the confrontation. The official announcement that 100 rebels were killed, and the fact that no prisoners were taken and few weapons were seized, illustrate the complexity of this armed conflict, which has neither victor nor vanquished but is claiming many lives, particularly among the civilian population, as it drags on. In Kabezi, a fishing port in rural Bujumbura, several homes recently were burned down; in Makamba province, more precisely, in the provincial capital, young Hutus, according to their parents, reportedly have fled to unknown destinations.

22. The armed forces are continuing their combing and pursuit operations in the rural areas of Bujumbura, where the authorities have learned of the existence of "parallel governments" led by rebel forces which have been stepping up their attacks on electrical installations. Thus, a large part of the city still is without electricity, indicating that the army's efforts to provide the installations with physical protection do not always have the desired results.

23. Since the *coup d'état* of 25 July, the Burundi army has reported rebel infiltrations across the supposedly closed

borders with Zaire and the United Republic of Tanzania. In any event, there have been no reports of rebel movements occasioning large-scale attacks; rather, by all accounts the rebels have decided to base themselves in certain areas from which it is difficult to flush them out. This is the case, for example, in the areas of Muramvaya and Gitega and some north-western provinces.

IV. HUMANITARIAN QUESTIONS

24. The United Nations supported the sanctions imposed on Burundi but stated that it was concerned about the serious consequences which their application might have on the humanitarian aid activities if the United Nations bodies and non-governmental organizations (NGOs) did not enjoy clearly established exemptions. The subsequent embargo has in fact complicated the task of the organizations furnishing assistance to the people affected by the war.

25. During the first week of August the Tanzanian and Kenyan Governments closed their airspace and borders with Burundi and banned the transit through their territory of goods bound for Burundi. During the following week Cameroon, Ethiopia, Rwanda, Uganda, Zaire and Zambia took similar action.

26. In the days immediately after the entry into force of the sanctions people swooped down on stocks of the basic foodstuffs. On 5 August the Kenyan authorities refused to authorize a United Nations—chartered aircraft from Bujumbura to land at Nairobi—the first sign of the stringency with which the sanctions would be applied. However, the United Nations subsequently secured the opening of a Nairobi-Bujumbura-Nairobi air corridor twice a week, on Thursdays and Sundays. This corridor is open to the humanitarian personnel of the United Nations and non-governmental organizations and to the entire diplomatic community.

27. Service stations soon ran short of petrol throughout the country, and the Government imposed strict fuel-rationing measures. Like all the non-military elements of the population, non-governmental and humanitarian organizations are initially entitled to only 20 litres of petrol per vehicle per month.

28. In view of the severe fuel shortage the United Nations bodies had established a common logistical service to pool deliveries of available supplies. The World Food Programme (WFP) and UNHCR are taking responsibility, as far as possible, for deliveries of humanitarian aid on behalf of the other United Nations and non-governmental organizations. WFP is coordinating the requests received from these organizations for the transport of additional supplies and foodstuffs, the United Nations Children's Fund (UNICEF) is taking care of requests for goods other than foodstuffs and the World Health Organization (WHO) is responding to requests for medical supplies.

29. On 16 August the Ministers for Foreign Affairs of Kenya, Rwanda, Uganda, the United Republic of Tanzania and Zaire met in Kampala to consider the question of the application of the sanctions. They agreed to establish a Regional Sanctions Coordination Committee, whose function would be to coordinate the activities of the national sanctions implementation committees. The Ministers decided that initially only medicines and foodstuffs destined expressly for the Rwandan refugees still in Burundi would be exempt from the sanctions.

30. The United Nations Resident Coordinator in Kenya, designated by the Department of Humanitarian Affairs to coordinate with the neighbouring States all matters connected with the sanctions, urged the Regional Sanctions Coordination Committee to grant limited exemptions on humanitarian grounds so that humanitarian aid could be brought to the vulnerable people in Burundi.

31. At its next meeting, held in Arusha on 6 September, the Committee agreed that certain concerns of a humanitarian nature were justified and it granted major exemptions. It authorized the humanitarian bodies to import urgent medical items and laboratory equipment, as well as food supplements for infants and hospital patients. And, crucially, it granted the United Nations the right to import limited quantities of fuel for the distribution of these goods. It also authorized, as pointed out above, twice-weekly humanitarian flights between Nairobi and Bujumbura. WFP is currently responsible for coordination of fuel needs. These exemptions from the sanctions on humanitarian grounds have been welcomed, but the import of other articles regarded as useful remains prohibited. The United Nations is still trying to obtain exemptions for foodstuffs in general and other items such as blankets, flexible plastic sheeting and water-purification and sanitation materials.

32. The Committee's second meeting, in Kigali on 25 September, was devoted mainly to political questions, for the States of the region had, amongst other things, agreed to recommend the import of limited amounts of vegetable seeds and fertilizers for non-commercial crops. This recommendation was made following the decisions of the new regime in Bujumbura to re-establish the National Assembly and political parties.

33. Although the Committee responded favourably to a joint request of the United Nations and the community of humanitarian non-governmental organizations concerning a bulk consignment of fuel, the order has still not yet been received.

34. The exemptions granted by the Committee for medicines have not prevented serious shortages in the health sector. Stocks of medicines are at a very low level in some provinces and, owing to the fuel shortage, it has not been possible to carry out missions to assess the needs. Stocks of poliomyelitis vaccine have been exhausted since the end of the September and, although limited quantities have since been sent by air, there is a serious risk that the vaccination chain will be broken. A small quantity of tuberculosis vaccine has finally been delivered, but the shortage of this vaccine remains extremely worrying. Furthermore, UNICEF has still not received from Kigali the delivery of kerosene which it was expecting. Unless a delivery arrives very shortly, the cold chains will be seriously affected.

35. Although there are only about 200 Rwandese refugees still in the country, UNHCR reports that refugees are still entering Burundi from eastern Zaire. More than 700 have crossed the border since the conflict erupted last month between the Zairian Tutsis and elements of the Zairian army. Many of the people who fled the fighting have entered the Burundian province of Cibitoke, where there is unrest, and will be transported by the Burundi Government to a UNHCR camp being prepared at Gihanga, about 15 kilometres north of Bujumbura airport.

36. The recommendations of the technical support mission of the Department of Humanitarian Affairs, which arrived in Burundi at the beginning of August, have been accepted. The Department is now following up the mission's proposals, including the assignment of additional personnel and improvement of the logistical and telecommunications support.

V. HUMAN RIGHTS

37. Since my last report, the human rights mission of observers deployed in Burundi on 19 April 1996 by the United Nations High Commissioner for Human Rights has pursued its activities, although these have been somewhat curtailed owing to the political disturbances. The rationing of fuel at the outset and above all the persistent deterioration of security conditions in Burundi have prevented the five observers from travelling as freely as they would have liked in the provinces to conduct the inquiries and investigations required by the situation.

38. As in the preceding months, the mission of observers continues to received numerous allegations of massacres, killings, infringements of personal freedom and security, forced disappearances and arbitrary detentions in the interior of Burundi, especially in the provinces of Muramvya, Gitega, Kayanza, Cibitoke and Bubanza, allegations which are difficult or take a long time to verify because of the aforementioned security constraints. The mission has noted that such violations are to a large extent attributable to members of the armed forces. Nonetheless, a number of lethal incidents and massacres continue to be perpetrated by the rebels. In addition, the clashes between the army and the rebels in the interior of the country, especially in rural Bujumbura, are causing fear in all parts of Burundi society.

39. The prison situation is far from improving. The number of detainees keeps increasing and the conditions of their detention remain of concern. It will be recalled that the first cases, tried during the two sessions held by the three criminal chambers of Burundi in February-March and last June, often took place without the defendants' having access to any legal aid whatever and led to more than 80 death sentences.

40. During his most recent mission to Burundi, from 1 to 17 July 1996, the Special Rapporteur observed numerous defects in the system of administration of justice and noted that justice was being dispensed very rapidly, without the defendants' having been properly informed of the charges against them. Since the fight against impunity is an absolute priority in Burundi in order to re-establish a State subject to the rule of law, my Special Representative in Burundi and the High Commissioner have launched, at the request of the Burundi authorities and the Bar Association, an international judicial assistance project under the first phase of which a number of foreign lawyers will assist both defendants and civil parties, side by side with their Burundi colleagues. This project, for which the operational office of the High Commissioner will serve as focal point, is intended to expedite the examination of at least 540 cases currently pending before the criminal chambers of Ngozi, Gitega and Bujumbura. The next session of the criminal chambers is scheduled in theory for October.

41. Within the framework of the activities to strengthen the Burundi judicial system, the operational office of the High Commissioner is organizing between July 1996 and January 1997 four sessions to train and retrain magistrates and officers of the judicial police and one four-week session for registrars and clerks of the court. It is also helping in the revision of the Criminal Code and the Code of Penal Procedures.

42. The human rights observers are trying to keep in continuing contact with the transitional authorities and the local authorities and to submit regular reports on their activities to interested Governments and the international organizations and agencies concerned. The human rights operation in Burundi, it should be stressed, is but one of the components of a coherent and comprehensive strategy put in place by the international community to promote concerted efforts towards a national dialogue between all the parties to the Burundi conflict and to help the country to settle the crisis.

43. The High Commissioner for Human Rights is firmly convinced that the mission of observers can play a definite stabilizing role in the present situation in Burundi. With this in mind, he is actively pursuing his efforts with a view to increasing steadily the number of human rights observers in the field, bearing in mind security conditions and the availability of voluntary contributions.

VI. CONTINGENCY PLANNING

44. As stated in my report to the Security Council of 15 August 1996 [*S/1996/660*], the Secretariat has entered into consultations with Member States in order to facilitate the establishment of contingency plans for Burundi. Although provisional plans have been drawn up for a peacekeeping operation based on a settlement involving all the parties, it is clear that the necessary conditions for the success of such an operation under Chapter VI of the Charter are not for the moment in place. Furthermore, in the absence of a technical field assessment the Secretariat does not have the necessary information for drawing up detailed plans. However, in accordance with paragraph 12 of resolution 1072 (1996) the Secretariat has kept updated, as far as possible, the various aspects of its provisional plans for a possible peacekeeping operation.

45. The Secretariat's contacts with Member States and the responses which it received are described in paragraphs 38 to 43 of my report of 15 August 1996. In this section of the report, I described how the Secretariat studied two scenarios for an operation pursuant to Chapter VII of the Charter. The first scenario, set out in detail in my report of 15 February [*S/1996/116*], consisted of a multinational force planned, organized and led by a State or group of States having a recognized rapid-response capacity.

46. Since this proposal did not obtain the necessary support from Member States, an alternative was put forward which proposed the deployment of a United Nations force mandated by the Security Council and financed by statutory contributions. This proposal was prompted by the wish to deal with the issues left unanswered in the proposal for a multinational force, such as the command and funding of the operation. However, as stated in paragraph 43 of my previous report [*S/1996/660*], this proposal was no more successful than the first one. Only five Governments out of the 31 contacted by the Secretariat sent replies. Four of the replies were negative. The Secretariat's approaches have secured no other response since then.

47. In the meantime, in accordance with the communiqué of 31 July 1996 of the Second Arusha Regional Summit on Burundi, which called for more coordination and better cooperation between the United Nations, OAU and the countries of the region, on 6 September 1996 the Under-Secretary-General for Peacekeeping Operations wrote to the Tanzanian Government in its capacity as Chairman of the Technical Military Committee established at the First Arusha Summit. The purpose of this communication was to offer United Nations military expertise for the elaboration of a security assistance plan in Burundi, as envisaged at the First Arusha Summit. During my discussions with President Nyerere on the occasion of his recent visit to New York he reiterated his conviction that such security assistance would be necessary in the future both in the case of a political settlement of the situation and in the case of a massive outbreak of violence.

48. I remain convinced that the worst could happen in Burundi at any moment. I am extremely worried about the reports of the killing of thousands of Burundians since the *coup d'état* of 25 July 1996. As a result I am continuing to encourage the countries which have the military and logistical capacity for contributing to the necessary preparations to stand ready to take the necessary measures to prevent a disaster similar to the 1994 genocide in Rwanda from happening in Burundi. In these circumstances I support the initiative taken recently by the United States to strengthen the capacity of the African countries to contribute to peacekeeping activities and to react promptly to crises in Africa. I understand that the United States has begun consultations with OAU, with African and European countries and with a number of other States. I hope that this initiative will receive the necessary logistical and financial support to provide a credible reaction in the event of a serious crisis endangering civilian populations. Although the initiative is not aimed at any particular country and the determination of its practical modalities will take some time, it is not incompatible with my own convictions with respect to preventive action in reaction to the emergence of a crisis, in Burundi or elsewhere.

VII. OBSERVATIONS

49. Civil war continues to rage in Burundi. Despite the apparent lull following the *coup d'état* of 25 July 1996, violence has unfortunately reasserted itself very quickly. It is therefore more imperative than ever to get the process of negotiations well under way, for only this can offer any hope of an end to the fratricidal conflict in Burundi.

50. A glimmer of hope appeared at the Arusha Regional Summit on 12 October 1996. On that occasion, the regional heads of State and delegations received a solemn pledge from the two main leaders who are parties to the conflict, Mr. Buyoya and Mr. Nyangoma, to start negotiations immediately and without conditions.

51. Taking note of those two solemn pledges, the Summit decided to adopt a strict timetable for the launching of negotiations within one month, i.e. by 12 November 1996. The Summit also decided that the preparatory phase for those negotiations should begin immediately, under the direction of the facilitator, President Nyerere, and ordered a ministerial mission to be sent to Bujumbura. The mission took place on 18 October. Lastly, the regional heads of State declared their readiness to respond positively to any serious opening of a dialogue between the new regime in Bujumbura and the parties involved in the conflict, by re-evaluating the imposition of sanctions.

52. Burundi is therefore again at a crossroads. The next few weeks could be crucial. The key question is whether the parties to the conflict will succeed in embarking on a serious process of negotiation. Accordingly, the international community must continue to exert pressure to ensure implementation of the programme of action adopted by the Arusha Summit on 12 October 1996.

53. In paragraph 7 of its resolution 1072 (1996), the Security Council requested me, in consultation with the international community, to undertake preparations when appropriate for the convening of a pledging conference to assist in the reconstruction and development of Burundi following the achievement of a comprehensive political settlement. In the absence of such a settlement, I am afraid that the convening of such a conference will have to wait. I am, however, continuing my consultations with Member States on this subject.

54. With respect to contingency planning, I remain convinced that the worst might yet occur in Burundi and that, consequently, the attention of the international community must continue to be focused on the development of the situation in that country. Although there does not yet seem to be sufficient political will for resolute preventive action, that does not rule out the possibility of a decision by the international community to act if a large-scale ethnic conflict

breaks out. Such being the case, I see no alternative but to continue with contingency planning, while remaining deeply convinced that the international community will do its utmost to prevent another genocide.

55. The situation in eastern Zaire, which has steadily deteriorated since the incidents in Masisi in June 1996, is becoming particularly alarming because the violence now affects the entire province of Kivu. I am extremely worried by the recent charges and countercharges between Burundi, Rwanda and Zaire, which went so far as to implicate UNHCR and certain non-governmental organizations. That is why I twice dispatched to Zaire my Special Envoy, Mr. Ibrahima Fall. The recent incidents not far from the Burundi frontier, and the movements of Hutu refugees, which are becoming increasingly difficult to control, serve as a reminder to the international community that there are now all the ingredients present for a regionalization of a conflict that would engulf the entire Great Lakes region. It is more necessary than ever to convene the regional conference on peace, security and development of the Great Lakes region, which has been under discussion for several years. I sincerely hope that Member States will take a decision to that end without further delay.

DOCUMENT S/1996/887/Add.1

[*Original: French*]
[*2 November 1996*]

1. My report of 29 October 1996 to the Security Council [*S/1996/887*] on the situation in Burundi was prepared on the basis of information available to the Secretariat on 22 October 1996. The present document is in follow-up to paragraph 6 of the report, in which I announced my intention to issue an addendum shortly on developments in recent days.

2. The recent rebellion of the Banyamulenge in eastern Zaire has considerably changed the political situation in the Great Lakes Region. The extent of the resulting political, military and humanitarian crisis has naturally focused the international community's attention on eastern Zaire.

3. However, the developments in Zaire must not be permitted to make the serious situation in neighbouring Burundi, where civil war and ethnic conflict continue, become a secondary issue. For example, the Burundi refugees in the Zairian frontier town Uvira have chosen to move further westwards, towards central Zaire, rather than return to Burundi. So far, under 4,000 Burundi refugees out of the approximately 200,000 who took refuge in Uvira have returned to Burundi.

4. On 2 November, the President of Kenya invited me to take part in a regional summit meeting that is to take place in Nairobi on 5 November to consider how the situation is developing (*a*) in eastern Zaire and (*b*) in Burundi. Since it is impossible for me to leave Headquarters this week, I have requested my Special Representative for Burundi, Mr. Marc Faguy, to represent me at the summit meeting, where he will be accompanied by a representative of the United Nations High Commissioner for Refugees.

5. Today it is more important than ever that the international community do everything within its power to bring to an end a conflict that has already brought suffering to the people of Burundi for too long. The United Nations, for its part, will pursue its efforts to facilitate a return to peace and stability in Burundi and will continue to support the countries of the subregion in their action designed to bring the Burundi parties to the negotiating table.

DOCUMENT S/1996/888

Letter dated 29 October 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*30 October 1996*]

I have the honour to refer to the informal consultations held on Friday, 25 October 1996, at which the members of the Security Council discussed the deteriorating situation in the Great Lakes region of Central Africa.

In accordance with the views expressed by the members of the Council on that occasion, I am taking steps to appoint as soon as possible a Special Representative for the Great Lakes region who would be provided with adequate staff and logistic resources to carry out a variety of functions in the region. I intend to present my proposals to the Security Council in a written report, together with preliminary cost estimates, as soon as the necessary data have been compiled.

Meanwhile, I have decided to appoint a Special Envoy who will travel to the Great Lakes region in the first days of November and remain there for a period of about one month. The Special Envoy's tasks will be threefold. First, he will consult with all concerned in order to establish the facts relating to the present conflicts and will develop urgent plans for defusing the tension and establishing a ceasefire and a process of negotiations. Secondly, he will explore the possibilities for the early convening of a regional conference. Thirdly, he will present me with advice on the mandate to be given to my Special Representative and on the size and structure of the United Nations political presence which, in consultation with the Governments concerned, will be established in the Great Lakes region.

I am happy to be able to inform the Security Council that the Government of Canada has offered to make available the services of the Canadian Ambassador to the United States, Mr. Raymond Chrétien, to serve as my Special Envoy. At my request, the Government of Canada has also agreed to provide an aircraft to facilitate Mr. Chrétien's travel in the region. The United Nations will provide the staff and other resources required for him to perform his functions.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/891

Letter dated 9 October 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*31 October 1996*]

I have the honour to refer to the letters dated 29 February 1996 which the President of the Security Council addressed to the President of the Republic of Cameroon and the Head of State and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria relating to the disputed Bakassi peninsula [*S/1996/150*].

By these letters, the two Governments were informed that the members of the Security Council welcomed my proposal that I should send a fact-finding mission to the Bakassi peninsula and also that the members had requested me in consultation with the Secretary-General of the Organization of African Unity, to continue to monitor this matter closely and to report to the Council on the results of the fact-finding mission and any other significant developments.

After close consultation with the Governments of Cameroon and Nigeria, I obtained their agreement to my sending a goodwill mission to the two countries in order to find ways to reduce tension in the disputed area and to improve relations between them while the dispute is under the consideration of the International Court of Justice.

The mandate of the Mission was:

(*a*) To gather information and formulate suggestions which might bring the parties to adopt confidence-building measures which would help establish an atmosphere of mutual trust and confidence among themselves;

(*b*) To examine with the parties concrete and specific measures designed to reduce tension among them and prevent a deterioration of the situation in the area.

The Mission was led by Mr. Omar Halim, who had had extensive experience of a number of United Nations peacekeeping operations during his service with the Secretariat, and included representatives of the Department of Political Affairs, the Department of Peacekeeping Operations and the Office of Legal Affairs. It left New York on 14 September 1996 for Yaoundé and Abuja, where it consulted the authorities of the two countries. After visiting areas of the Bakassi peninsula controlled by both sides, it revisited the respective capitals for further consultations. It also paid a one-day visit to Lomé, where it met with President Gnassingbe Eyadema of Togo, who has been mediating between the two countries. The Mission has reported that it obtained the fullest support and cooperation from all parties.

The two sides each proposed specific measures that could improve relations between them. These included immediate steps to reduce military tensions, as well as confidence-building measures involving cooperation in the economic and cultural fields.

It is my intention to study these proposals in depth and to continue my consultations with the two Governments in order to see which of the measures proposed would be most effective, as well as acceptable to both sides.

As soon as further progress is achieved in these discussions, I will immediately inform the Security Council.

I should be grateful if you could bring the information contained in this letter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/895

Letter dated 31 October 1996 from the representative of Zaire to the President of the Security Council

[Original: French]
[31 October 1996]

Acting on instructions from my Government, I have the honour to transmit to you, for the information of members of the Security Council, a note giving a chronological account of the aggression being perpetrated against the Republic of Zaire in the eastern part of its territory.

This note establishes the truth regarding the said aggression and corrects the lamentable and deliberate untruths disseminated in document S/1996/869 of 23 October 1996.

I should be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Khabouji N'zaji Lukabu
Chargé d'affaires a.i.
of the Permanent Mission
of Zaire to the United Nations

ANNEX

Noted dated 29 October 1996 from the representative of Zaire in reply to the letter dated 23 October 1996 from the representative of Rwanda to the President of the Security Council (S/1996/869)

CHRONOLOGICAL ACCOUNT OF THE CRISIS

PART I. NORTH KIVU

On 1 August 1885, the authorities of the Congo Free State (CFS) transmitted to the Powers that were signatories to the Berlin General Act a Declaration of Neutrality to which was appended a map clarifying the boundaries of CFS (map appended).

The limits of eastern Zaire are defined as follows:

"To the east

"Longitude 30° east of Greenwich as far as latitude 1°,20' S;

"A straight line drawn from the intersection of longitude 30° E and latitude 1°20' S to the northernmost tip of Lake Tanganyika;

"A line down the centre of Lake Tanganyika."

1886	Rwanda becomes a German Protectorate.
1898-1910	A disagreement between CFS and Germany ends with negotiations between the following Powers: Belgium, Germany and the United Kingdom. In fact, the Belgian Government, which had succeeded to CFS, felt, quite rightly, that the boundary of eastern Congo in the section contiguous to the German protectorate of east Africa, of which Rwanda was a part, should be determined solely by the Declaration of Neutrality approved by Prince Bismarck.
11 August 1910	Under the German-Belgian Convention of 11 August 1910 and that of 14 May 1910 with the United Kingdom, Belgium loses a portion of territory equal to almost half of present-day Rwanda, the part to the west of the boundary outlined in the Declaration of Neutrality, which Germany had accepted up to the present boundary.

Since Zaire is the successor to the Belgian colonial State, it is present-day Zaire (formerly the Congo) which lost a portion of its territory that had been internationally recognized by the Berlin General Act to present-day Rwanda; that territory includes the town of Gisenye, Ruhengeri and Cyangugu (shaded area).

1918	After the First World War (1914-1918), the League of Nations gave Belgium a mandate over Rwanda.
1924	People begin to migrate from Rwanda to the Congo.
1937	The Banyarwanda Immigration Mission (BIM), an agency of the Belgian colonial administration in the Congo, settles 354 Rwandan immigrants (Tutsis) in the Congo to supervise Hutu immigrants in Buhunde (Masisi territory, Mokoto plateaux).
From 1937 to 1945	Some 25,450 people, mostly Hutus, are settled in Gishari, Masisi territory.
31 December 1957	According to the report submitted by the Belgian administration to the Trusteeship Council, a total of 74,878 people had migrated from Rwanda to the Congo.
	The migration occurred following recurrent famines in Rwanda (1943); the people went to work in the plantations of the Belgian settlers.
1959	Ethnic cleansing is practised by Rwandans (Tutsis and Hutus) and has been going on in their country since 1959. The troubles in the north Kivu and south Kivu regions of Zaire are not ethnic cleansing carried out by Zairians against anyone, but rather aggression from Rwanda and Burundi.
1960	Belgian Congo becomes independent. The Constitution stipulates that "any person one of whose forebears is or was a member of one of the tribes established in the territory of the Republic of the Congo as delimited on 1 August 1885 and as amended by subsequent conventions, is Congolese".
1972	Bisengimana Rwema, the former chief of staff of the President of the Republic who is himself a Rwandan (Tutsi) refugee, has an order signed, the purpose of which is to grant Congolese nationality collectively to Tutsi refugees who have gone to Zaire since 1959.

1981	Zaire passes a new law on nationality which provides, in article 4, that: "According to article 11 of the Constitution, as of 30 June 1960, any person one of whose forebears is or was a member of one of the tribes established in the territory of the Republic of Zaire as delimited on 1 August 1885 and as amended by subsequent conventions is Zairian." This Zairian law defines the conditions whereby anyone who does not meet the requirements for recognition of nationality of origin may acquire Zairian nationality through the individual rather than collective naturalization procedure.
1994	Between 1990 and 1994, ethnic massacres, culminating in genocide following the assassination of President Habyarimana, were carried out by Rwandans against other Rwandans.
1996	The confrontations between Tutsis and Hutus living in Masisi and the serious incidents in Mokoto monastery were carried out by Rwandan refugees (former Tutsis against the Hutu refugees of 1994). The indigenous Hunde population and the forces of law and order intervened to protect the Tutsis.

PART II. SOUTH KIVU

1. A number of Tutsi immigrant families are reported to have arrived, not in the sixteenth century, but around 1896, fleeing the reprisals and tyranny of the Mwami of Rwanda, Yuhi IV Musinga, and to have been received by Mwami Nyamuyira, who granted them asylum in Kakamba (Ruzizi Plain) before they settled in Mulenge.

2. The first sizeable group of Tutsi immigrants, however, arrived in South Kivu around 1924.

3. The Rwandan Tutsis today calling themselves "Banyamulenge" did not settle in the high plateaux of Itombwe until between 1959 and 1962, following the interethnic troubles which plagued Rwanda on the eve of its independence.

4. It is of interest to recall here the message of 1961 which the administrator of the United Nations Operation in the Congo, the delegate of the International Committee of the Red Cross (ICRC) and the delegate of the United Nations High Commissioner for Refugees (UNHCR) conveyed to the Rwandan refugees who had settled on the hills of Lemera, Mulenge and Katobo. It is heartening to note that the three officials representing the United Nations, UNHCR and the ICRC addressed the Rwandan refugees in Lemera, Mulenge and Katobo in the following terms:

> "Rwandan refugees, you are isolated at this time. The bridges have been cut and there are roadblocks, which is why we cannot visit you. However, we hope that calm will soon return to your region. Until such time as it does, we ask you to remain strictly neutral. You have been given asylum in the Congo on condition that you do not concern yourselves with politics at all. If someone asks you for your support, you must answer that, as strangers, refugees and guests in the Republic of the Congo, you cannot or you must not take part in any political movement whatsoever. Remain calm. Continue to work as before, following the advice of your agronomist. Everyone should remain at his post and above all should steer clear of politics."

5. The Mulenge in question is a village situated in the Bafulero community, the members of which are its only inhabitants. It is not normal that the name of this village should today be replaced by the name of a tribe which has never existed in Zaire.

If this is allowed to happen, tomorrow there will be "Banyakashusha", after the site of Kashusha currently sheltering the Hutu refugees who settled there in 1994.

It is curious that the Rwandan Tutsis change their tribe according to their place of shelter. For example, they call themselves "Banyamulenge" in Fizi, Mwenga and Uvira and "Banyavyura" in Moba au Shaba, Vyura.

The term "Banyamulenge" was invented and used for the first time in 1977 by Mr. Gisaro, a Rwandan Tutsi immigrant.

Subsequently, all the Rwandan Tutsis who had settled in the vicinity of Fizi, Mwenga and Uvira adopted the name for the sole purpose of extinguishing their true Rwandan origin and claiming Zairian nationality.

6. The tribes making up the Republic of Zaire, then the Congo, were there at the time of the Berlin Conference in 1885. It was those tribes which on 30 June 1960, when the colonial Power departed, were living within the national borders inherited from colonial days. The descendants of the members of those tribes are automatically of Zairian origin. All immigrants have the option of applying for naturalization.

7. Since the country's accession to independence, no new tribes have been created by the Zairians.

8. Consequently, regardless of certain claims advanced, the Banyamulenge are not a tribe of Zairians of Rwandan origin speaking the Kinyarwanda language.

9. These claims, which are defended in particular by Mr. Roberto Garretón, United Nations Special Rapporteur on the situation of human rights in Zaire, are putting the weight of the United Nations behind some historical errors and are therefore misleading the entire international community and exacerbating the conflict between the indigenous population and the immigrants.

10. This question is all the more serious because neither the Special Rapporteur nor the Commission on Human Rights, which appointed him, is competent to deal with nationality, a matter which falls within the exclusive sovereign power of States and which in this instance is governed by the laws and Constitution of the Republic of Zaire.

PART III. CONCLUSION

The alleged integration of part of Rwanda into Zaire in 1910

After the Berlin Conference in 1885 the only region which was the subject of dispute between Zaire and Rwanda was the Rift Valley, which cuts through East Africa in a north-south direction over a distance of approximately 12 degrees latitude and along which Lakes Tanganyika, Kivu, Edward and Albert are spread.

The question was settled by the demarcation of the boundary in the heart of the Rift Valley, that is to say, between the valley of the Ruzizi River and Lake Kivu.

In determining this boundary, account was taken of indigenous political units of some importance, ethnographical divisions and geographical accidents themselves.

As a result of this demarcation, it was Zaire, not Rwanda, which lost, *inter alia*, Cyangugu, Gisenye, Ruhengeri and Nyakagunda, a vast expanse of territory equivalent in size to almost half of modern Rwanda.

Zaire, even though it was the victim of this situation, nevertheless subscribed to the principle of intangibility of frontiers inherited from colonial days, as set forth in the Charter of the Organization of African Unity and other relevant international instruments. No State, including Rwanda, has the right to challenge a principle which ensures the stability of the whole of Africa.

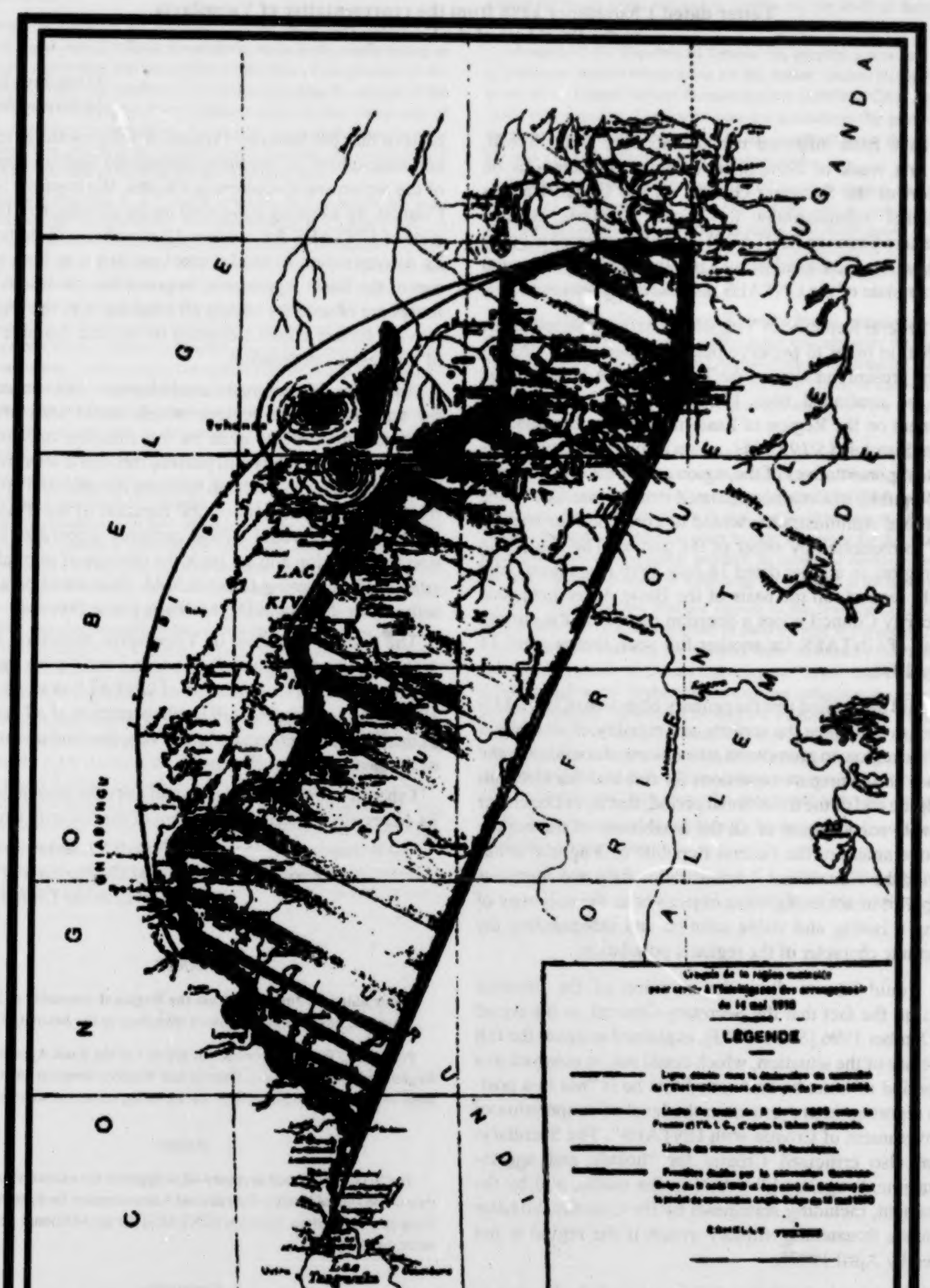
The number of "Banyamulenge" and the question of their nationality

In the 1950s approximately 6,300 Tutsis were counted in the high plateaux of Fizi, Uvira and Mwenga.

This population cannot have increased to between 250,000 and 400,000 persons today.

On the basis of an annual growth rate of 3.5 per cent over a period of 40 years, this population would have grown to only 32,450 in 1994.

According to current law in Zaire, the "Banyamulenge" who wish to obtain Zairian nationality must file an individual application. This is a matter within Zaire's sovereign power to decide.


UGANDA
CONGO BELGE
AFRIQUE ORIENTALE ALLEMANDE
LAC KIVU
Lac Tanganika
du 14 mai 1910
LÉGENDE
ÉCHELLE

DOCUMENT S/1996/899

Letter dated 1 November 1996 from the representative of Yugoslavia to the President of the Security Council

[*Original: English*]
[*4 November 1996*]

We have been informed that the Security Council will, in the first week of November, continue deliberations on the report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) (hereafter referred to as the region), with a view to adopting a resolution on the extension of the mandate of the UNTAES peacekeeping operation.

The Federal Republic of Yugoslavia strongly supports the view that, in order to preserve peace and security in the region, the present mandate of the Transitional Administration should be continued until 15 January 1998. The Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium [*S/1995/951, annex*], duly signed by the legitimate representatives of the region and of the Government of the Republic of Croatia, stipulated that the mandate of the Transitional Administration would be continued for another year if so requested by either of the parties. The leadership of the region, in a letter dated 18 July 1996 (*see annex*), did formally request, on the basis of the Basic Agreement, that the Security Council adopt a decision extending the current mandate of UNTAES for another full year, that is, until 15 January 1998.

It should be recalled that the primary objective of UNTAES has been to guarantee the security and equality of all inhabitants of the region, to promote an atmosphere of confidence and tolerance and to prepare conditions for free and fair elections towards the end of the transitional period, that is, in December 1997, with participation of all the inhabitants of the region. The Government of the Federal Republic of Yugoslavia has supported the Transitional Administration fully and continues to support it in achieving these objectives as the only way of securing a lasting and stable solution and safeguarding the multi-ethnic character of the region's population.

We would like to draw the attention of the Security Council to the fact that the Secretary-General, in his report of 26 October 1996 [*S/1996/883*], explained in detail the full complexity of the situation, which could not be resolved in a short period of time; he also stated that he is "not in a position to report an improvement in the level of cooperation of the Government of Croatia with UNTAES". The Secretary-General also criticized Croatia for "hostile and aggressive statements against UNTAES in the media, and by the Government, including statements by the Croatian Minister of Defence threatening military action if the region is not returned by April 1997".

Taking into account these assessments of the Secretary-General, as well as various other threatening statements and official declarations, failure to guarantee free and safe return of refugees and in implementing the general amnesty, we believe that the Security Council is fully aware of the fears and atmosphere of insecurity among the Serbian population of the region and elsewhere in Croatia. We hope the Security Council, by adopting a decision on the extension of the mandate of UNTAES for another 12 months, will demonstrate its determination to send correct messages to both signatories of the Basic Agreement, improve the conditions and atmosphere of security among all inhabitants of the region and prevent further ethnic cleansing by another massive exodus of the Serbian population.

Otherwise developments could have severe consequences for stability in the region, which could spill over and have negative effects even on the situation in Bosnia and Herzegovina, which is still passing through a sensitive phase of consolidation. A decision ignoring the essential provisions of the Basic Agreement on the duration of the Transitional Administration would almost certainly jeopardize cooperation in the region and set back the process of normalization, which is just starting to catch hold. That could be a serious setback for the whole Dayton/Paris peace process.

The Federal Republic of Yugoslavia, therefore, strongly urges the Security Council to adopt a resolution on the extension of the current mandate of UNTAES until 15 January 1998, thus assuring the full implementation of all provisions of the Basic Agreement and satisfying the fundamental needs of the peace process in general.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Vladislav JOVANOVIC
Chargé d'affaires a.i. of the Permanent Mission
of Yugoslavia to the United Nations

ANNEX

Letter dated 18 July 1996 from the Regional Assembly of Eastern Slavonia, Baranja and Western Sirmium to the Security Council

Proceeding from the provision of article 1 of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium and the conclusions of the Regional Assembly, the following request is submitted.

Request

The Security Council is requested to approve the extension of the mandate of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) for an additional period of the same duration.

Explanation

In order to ensure the implementation of the Basic Agreement for the Region of Eastern Slavonia, Baranja and Western Sirmium along the lines agreed to by its signatories and with the support of the Transitional

Administration, we would like to express our dissatisfaction with, and our inability to understand, the lack of cooperation of the part of Croatia regarding certain issues.

Although the report of the Secretary-General of 26 and 28 June 1996 [*S/1996/472 and Add.1*] reflects the progress made in the implementation of the Basic Agreement and successful termination of the process of demilitarization, we have a number of objections regarding the attitude of the Government of Croatia towards the implementation of other paragraphs of the Basic Agreement and would appreciate it if, upon careful consideration of our objections, the Security Council would consider the possibility of extending the mandate of the Transitional Administration.

In view of paragraphs 4, 6, 7 and 8 of the Basic Agreement, we must rightly express our dissatisfaction with the adoption of Croatia's Law on Amnesty and—in line with the objections contained in the Security Council President's statement of 22 May 1996 [*S/PRST/1996/26*]—underline that this Law fails to respect fundamental human rights. Namely, the Law is uncomprehensive, selective and unobjective, as it relates only to a segment of the population of the Republic of Croatia and a part of its territory, and does not pertain to other citizens in the territory of the Republic of Croatia. Rather than having Croatia assume the right to convict people for, possibly, having committed war crimes, we request the Security Council to assist us in the endeavour to have the Government of Croatia modify the said Law and honour the commitment to cooperate with the international tribunal, undertaken in Security Council resolution 827 (1993) of 25 May 1993.

In accordance with article 4 of the Basic Agreement on ensuring the right of refugees and displaced persons to return to their homes, we wish to express our dissatisfaction and concern because of the failure of the Government of Croatia to provide the necessary conditions and determine the procedure for carrying out that decision. So far, only a very small number of refugees' requests to return have been approved. For example, the Government of Croatia approved 7,000 such requests, but only 1,500 persons have actually returned, because men dare not return owing to the nature of the Amnesty Law, which is consequently reflected on their families. We should not forget that approximately 500,000 people from the territory of the Republic of Croatia live in exile.

Our positions and views on Croatia's failure to respect the provisions of the Basic Agreement are supported by the following facts. A precedent has been set for the first time in the history of the Council of Europe, as the oldest European political institution, when Croatia was refused membership in that organization even after the green light had been given to it. The Council of Europe has placed 21 conditions on Croatia's full membership, which were subsequently divided into five parts, that is, cooperation with the Hague Tribunal, implementation of the Dayton Accord, realization of the right of exiled Serbs (especially following the "Storm" operation), to return to their homes, free media and local democracy (the case of the Mayor of Zagreb). We consider that this best demonstrates the measure in which human rights are being violated in Croatia and the level of democracy in that country.

Meanwhile, the Republic of Croatia has adopted a new law on areas of particular interest (these areas are the former Sectors North, West and South of the United Nations Protection Force (UNPROFOR)) from which Serbs were expelled. The law favours and encourages (by granting loans) the settlement of those areas solely by the Croatian people, thus preventing the return of exiled Serbs to their ancestral lands.

This biased attitude of the republic of Croatia is evident also in the report of Ms. Elisabeth Rehn of 14 March 1996, which contains numerous examples of human rights violations, killings, and mistreatment of the civilian population, destruction of private property, prevention of the return of refugees and so on effected by wilful extremists whose behaviour escapes control [*S/1996/903, paras 62-86*].

So far, the only Security Council reaction to this behaviour was to admonish the Republic of Croatia stating that it was necessary for the success of the mission of the Transitional Administration and ensuring that people remain in these areas that Croatia take concrete measures that would eventually trigger the process of democratization and ensure the respect of the fundamental human rights.

We are particularly concerned about the deterioration in the economic situation in the region. As the exploitation of oil in Deletovci has ceased, which was the major source of revenue and financing of the Administration, we would greatly appreciate it if you would influence the Republic of Croatia, through UNTAES, in order to have it provide for the financing of the Administration and public services, as economic development constitutes an important element of stabilizing the relations in the region.

We trust and believe that our request to the Security Council reflects the justified fear of a large number of people living in the region (approximately 150,000, including the refugees from the territory that has become the present Republic of Croatia following the "Spark" and "Storm" operations), as well as our doubts that the Croatian authorities are appropriately implementing the Agreement, as they are evidently unable to ensure the implementation of their own laws and exercise authority in the territory currently under their administration. It is also impossible for us to disregard open threats, coming from various government levels, that the authorities will "settle accounts" with those who participated in the war in this region.

We have the same goal as UNTAES, and that is to ensure a successful completion of its mission.

(*Signed*) Borivoje ZIVANOVIC
President of the Regional Assembly

DOCUMENT S/1996/904

Letter dated 4 November 1996 from the representative of Uganda to the President of the Security Council

I have the honour to transmit to you in the annex herewith a document dated 1 November 1996, which the Government of the Republic of Uganda issued as a statement, concerning a statement by the Hon. Prime Minister of the Republic of Zaire, Mr. Kengo wa Dondo, in which it was alleged that Uganda was involved in the fighting going on in the Republic of Zaire.

The Government of the Republic of Uganda would be very grateful if you would have the present letter and its annex circulated as a Security Council document.

(*Signed*) Mathias Semakula KIWANUKA
Permanent Representative
of Uganda
to the United Nations

[*Original: English*]
[*4 November 1996*]

ANNEX

Statement issued by the Ministry of Foreign Affairs of Uganda on 1 November 1996

The Government of Uganda takes this opportunity to state its position on the current problem in Zaire as follows:

1. Uganda has offered to help solve this problem and the Government of Zaire is aware of this fact.

2. Uganda has assisted Zairians who have been displaced by the fighting by providing them with safe passage through Ugandan territory to places they consider safer than Zaire.

3. We are unreservedly willing to have observers come to Uganda to verify that we are not all involved in the internal conflict in Zaire as it is being alleged by the Prime Minister of Zaire.

4. Uganda, which has spearheaded efforts to resolve conflicts in the Great Lakes region by peaceful means is very sorry to see these sad developments and is deeply concerned about this unwarranted accusation.

5. Uganda calls upon all the parties involved in the current conflict in Zaire to desist from any actions that can lead to the further escalation of this conflict.

DOCUMENT S/1996/905

Letter dated 4 November 1996 from the representative of Italy to the Secretary-General

[*Original: English*]
[*4 November 1996*]

I have the honour to transmit to you a press statement issued by the Ministry of Foreign Affairs of Italy on 3 November 1996, concerning the situation in eastern Zaire.

I would be grateful if you could have the text of the press release circulated as a document of the Security Council.

(*Signed*) F. Paolo FULCI
Permanent Representative of Italy
to the United Nations

ANNEX

Press statement issued on 3 November 1996 by the Ministry of Foreign Affairs of Italy

Rome, 3 November 1996—The Italian Government's operations in relation to the crisis in eastern Zaire are fully under way after the Foreign Ministry evacuated from Kivu all last week hundreds of Italian and European citizens, also bringing to safety 30 Zairian clerics whose lives were endangered by reprisals from Tutsi rebels.

The Ministry's action, according to instructions given by Foreign Minister Dini, is threefold:

- The protection of Italians and other Europeans situated in Kivu;
- The promotion of a political initiative at the African level to initiate negotiations between Zaire and its neighbours, particularly Rwanda;
- The creation of the conditions needed for the delivery of food, medicine and clothing to more than 700,000 refugees amassed in refugee camps on the Goma border with no other help, after the departure of the personnel of the Office of the United Nations High Commissioner for Refugees, except for a handful of missionaries and volunteers, primarily Italian, who continue to lend assistance with limited means and extraordinary self-sacrifice.

The airlift organized by the Ministry's crisis unit made it possible last week to bring to safety 217 people, including 65 Italians and 30 Zairian missionaries. The evacuees included 20 German citizens, 12 French, 14 Belgians and 9 Spaniards. Foreign Minister Kinkel of Germany expressed to Minister Dini his deep appreciation of the Italian action, which was conducted with the greatest possible discretion to take advantage of the limited hours during which the Kivu airport was open during the crisis. The Ambassador of France to Rome also made a similar démarche to the Ministry.

Yesterday the Italian Foreign Ministry evacuated by land 37 people from Bukavu towards Kigali, the capital of Rwanda. The evacuees included 8 Italian missionaries, 20 Belgians, 5 Spaniards, 2 Frenchmen and some citizens of the Netherlands and Switzerland.

In reality, the Foreign Ministry had already begun to take the necessary precautions at the end of September, when the crisis unit urged the missionary orders to reduce their presence in Kivu. The first evacuation was actually on 15 October when five Dorothean sisters were evacuated from Bukavu.

On the political level, the Italian Government strongly supported the initiative of President Arap Moi of Kenya, to convene in Nairobi a high-level meeting of the heads of Government of the seven countries that make up the Great Lakes region, in direct contact with other European partners.

Minister Dini gave instructions to Italian diplomats in Kinshasa and Kigali to urge the Government to which they were accredited to accept the Kenyan mediation initiative and the attempts under way by the Organization of African Unity (OAU) and European Union special representative Aldo Ajello to declare a ceasefire that would make it possible to implement short-term humanitarian relief operations to meet the desperate conditions of the refugees in Goma.

This morning the Ambassador to Addis Ababa was once again asked to contact OAU Secretary-General Salim. Today there was also a telephone conversation between Minister Dini and Salim, who confirmed that he would be coming to Rome on Thursday for the World Food Summit.

For a few days now an Italian cooperation airplane has been on standby to bring medicine, food and clothing to Goma for the refugees, according to the indications provided by our embassies and humanitarian organizations in the field. The flight has not yet been made because of the closing of the Goma airport and the armed conflict under way until yesterday on the border between Zaire and Rwanda.

Minister Dini gave instructions to the Italian ambassadors accredited to Kigali and Kinshasa to request the consent of the respective Governments for the creation of a humanitarian corridor that would allow the delivery of relief supplies to Goma. Dini is in contact with European Union Commissioner Emma Bonino, who proposed the establishment of a corridor protected by African military forces. Once the necessary consent is granted, an Italian airplane will reach Goma in a few hours.

DOCUMENT S/1996/913

Report of the Secretary-General on the situation concerning Western Sahara

[*Original: English*]
[*5 November 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1056 (1996) of 29 May 1996, in which the Council requested me to submit a comprehensive report by 10 November 1996. In that resolution, the Council also endorsed my proposal that the identification process be suspended temporarily, with a concomitant reduction in the personnel of the United Nations Mission for the Referendum in Western Sahara (MINURSO), until such time as both parties, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO), demonstrate the political will, cooperation and flexibility necessary to permit the resumption and early completion of identification in implementation of the settlement plan [*S/21360 and S/22464*]. The Council also supported my proposal to reduce the military component of MINURSO by 20 per cent on the understanding that this would not impair its operational effectiveness in monitoring the ceasefire. It called upon the parties, as a demonstration of good will, to cooperate in the release of Saharan political prisoners and the exchange of prisoners of war on humanitarian grounds, as soon as possible.

2. Section II of the present report covers the discussions my Acting Special Representative, Mr. Erik Jensen, has had with the parties and the neighbouring countries; section III addresses the identification process and other aspects of the plan; section IV reports on the work of the military and civilian police components of MINURSO; section V covers the financial aspects; and section VI contains my observations.

II. MEETINGS WITH THE PARTIES AND NEIGHBOURING COUNTRIES

3. As indicated in my report of 20 August 1996 [*S/1996/674*], my proposal to maintain a political office to continue the dialogue with the parties and the neighbouring countries, in the context of the settlement plan, has been implemented. The political office is led by my Acting Special Representative, who has, in accordance with Security Council resolution 1056 (1996), worked intensively to facilitate any effort to help set the parties on a course towards an agreed formula for the resolution of their differences. In addition to supporting the Acting Special Representative, the political office assures permanent liaison with the Frente POLISARIO in Tindouf, assists in maintaining other contacts and provides general assistance to fact-finding missions to the Territory and the Tindouf area. It also monitors local, regional and international media and works with the Independent Jurist in the discharge of his mandate.

4. Following the adoption of resolution 1056 (1996), my Acting Special Representative travelled regularly between Rabat and the Tindouf area, striving to develop momentum in the exchange of views and proposals between the two sides. He met or spoke on the telephone with the Moroccan Minister of the Interior, Mr. Driss Basri, and the Frente POLISARIO Coordinator with MINURSO, Mr. Mustapha Bachir Sayed, almost every week. In October 1996, he also met in Algiers with the Minister of Foreign Affairs of Algeria, Mr. Ahmed Attaf, and in Nouakchott with the President of the Islamic Republic of Mauritania, Mr. Maaouiya Ould Sid' Ahmed Taya, and his Minister for Foreign Affairs, Mr. Lehmrabet Sidi Mahmoud Ould Cheikh Ahmed. The Acting Special Representative's discussions with all the above-mentioned parties focused on ways to overcome obstacles to the implementation of the settlement plan, especially those aspects highlighted by the Security Council. They also dealt with other measures that could contribute to building confidence.

5. In its resolution 1056 (1996), the Security Council reiterated that, for progress to be achieved, the two parties must have a vision of the post-referendum period. It supported my proposal, in the context of the settlement plan, to maintain a political office to continue the dialogue with the parties and the neighbouring countries and to facilitate any

other effort that could help the parties on a course towards an agreed formula for the resolution of their differences. It is encouraging that on 10 October 1996, the Special Political and Decolonization (Fourth) Committee of the General Assembly was informed that contacts had taken place and would continue to take place and that those contacts would certainly not lose sight of the settlement plan, which governs the holding of the referendum.

6. The Government of Morocco and the Frente POLISARIO have reiterated their commitment to the settlement plan. They continue to respect the ceasefire and are hopeful that ways may be found to permit the resumption of identification, which they both wish to see completed, and full implementation of the plan. The Government of Algeria expresses its continuing support for MINURSO, endorses the settlement plan and underlines the responsibility of the United Nations, especially the Security Council, to ensure its implementation. The Government of Mauritania shares that view and believes a solution to the problem of Western Sahara to be crucial to the security and stability of the region.

III. IDENTIFICATION AND OTHER ASPECTS OF THE SETTLEMENT PLAN

Identification Commission

7. The positions of the Government of Morocco and the Frente POLISARIO regarding further identification remain irreconcilable, as stated in my report of 20 August 1996. The Frente POLISARIO invokes the compromise proposals presented in my reports of 28 July 1993 [*S/26185*] and 10 and 21 March 1994 [*S/1994/283 and Add.1*] that applicants should be members of "a Saharan subfraction included in the 1974 census", and maintains that the contested tribal groups H (Tribus del Norte), I (Chorfa) and J (Costeras y del Sur) are not composed of "subfractions" in the accepted meaning of the term. From these groups it would accept for identification only individuals who were themselves included in the census. The Government of Morocco insists, to the contrary, that the contested groups are like other subfractions and were treated like them for the purposes of the Spanish census, that there can be no basis for treating their members differently from those of other subfractions in the present identification process and that my compromise proposals were not intended to draw such a distinction. It wishes MINURSO to proceed, without prejudice to the Commission's decision, with the identification of all persons whose applications were submitted on time. An additional obstacle to the resumption of the identification process relates to the lists of persons already identified and found eligible to vote. The Frente POLISARIO insists on such lists being made available before the resumption of identification; the Government of Morocco rejects that as an unacceptable departure from the provisions of the settlement plan and as lacking approval by the Security Council.

8. In these circumstances, I concluded last May that it had to be accepted that there could be no early resumption of identification and that the personnel assigned to identification and related duties should not be retained. However, experienced staff who will be required when identification is to resume could be reassigned to MINURSO at short notice. The reduction of Identification Commission personnel has been completed. Some 40 persons left during February and March and a further 43 departed in April and May. The 23 staff members who remained until the end of July in order to close centres, store equipment and prepare and assemble identification archives for transfer to Geneva have left after finishing those tasks and none of the 132 staff members who worked on identification in 1995 remain with MINURSO. This has resulted in a substantial saving.

9. A high-level presence of the Organization of African Unity (OAU) remains in the mission area to ensure continued cooperation with MINURSO. I should like, again, to express my appreciation to OAU for its continuing support for the implementation of the settlement plan.

Exchange of prisoners of war

10. I have been informed by the Governments of Germany and the United States of America that, following an initiative on their part, 66 Frente POLISARIO prisoners of war in Moroccan custody were released on 31 October 1996 with the assistance of the International Committee of the Red Cross (ICRC). It will be recalled in this connection that in November 1995 a total of 185 Moroccan prisoners of war were released by the Frente POLISARIO with the assistance of ICRC and the Governments of Argentina and the United States. I express my appreciation for the efforts of those Member States who have assisted in the two releases.

Release of political prisoners

11. During the reporting period, the Independent Jurist has continued his efforts for the release of political prisoners. After his meetings in early July with the Moroccan authorities in Rabat and representatives of the Frente POLISARIO in Las Palmas, Canary Islands, he returned to the mission area during the last week of August. On 27 August, he visited some of the refugee camps in the Tindouf area and met with officials of the Frente POLISARIO and with a number of sheikhs who provided him with useful information.

12. The Frente POLISARIO also organized a meeting between the Independent Jurist and representatives of the Association of Families of Prisoners and Disappeared Saharans (AFAPREDESA). At the meeting, representatives of the Association gave the Independent Jurist a list of persons said to have "disappeared". The Independent Jurist has compared the list with data in his possession and is in the process of finalizing a list with the cooperation of AFAPREDESA, which has been asked to clarify some of its information. The Frente POLISARIO is expected to endorse the list prior to its being officially communicated, through my Acting Special Representative, to the Moroccan authorities, with whom the Independent Jurist will pursue his efforts.

Repatriation of refugees

13. The Office of the United Nations High Commissioner for Refugees (UNHCR) has continued to monitor developments in the region and has undertaken to review and update on a continuous basis the repatriation plan drawn up in 1991. Updates in logistical estimates have set the cost of the UNHCR repatriation project at almost $50 million. When conditions permit, UNHCR plans to carry out a pre-registration of potential returnees, which is an essential part of the preparatory work for the repatriation operation under the settlement plan. In the meantime, the survey of water resources has been completed, but a planned drilling programme around potential repatriation sites has been put on hold.

14. UNHCR has conducted a series of missions to the Territory, Morocco and Algeria, including the refugee camps in the Tindouf area. It has held discussions with the relevant parties, all of whom pledged their full cooperation and support. In consultation with the Acting Special Representative, it has also undertaken a number of initiatives to complement MINURSO efforts. In addition, it is continuing its assistance programme for the most vulnerable refugees in the camps.

IV. MILITARY AND CIVILIAN POLICE ASPECTS

Military component

15. Pursuant to Security Council resolution 1056 (1996), the military component, headed by Major-General José Eduardo Garcia Leandro (Portugal), has been reduced by 20 per cent, from a strength of 288 military observers in May to 230 by 1 November (*see annex*). The reduction was achieved through normal rotations, with the largest reduction taking place in September when the strength was cut from 259 to 232.

16. In spite of this reduction, it has been possible to keep the number of ground patrols at the previous level and to maintain overall operational activities through an increase in helicopter reconnaissance flights. However, as explained in paragraph 18 of my report of 20 August 1996 [*S/1996/674*], the redistribution of patrols required the transfer of activities from Dougaj team site to Agwanit team site in Sector South (*see map at the end of the present volume*). The transfer was completed on 21 July, and Dougaj team site, which had no airstrip, was closed on 8 August. The reduction of manpower in the field also necessitated an upgrading of the communications infrastructure throughout the area of operations. To that end, a communications section of four signals officers has been established (two at Force Headquarters and one at each Sector Headquarters).

17. While the ceasefire continues to hold, MINURSO has noted some technical violations of it, as well as an intensification of military activity on both sides, apparently aimed at ensuring combat readiness as the end of the current mandate period of MINURSO approaches. During August, POLISARIO forces conducted live-fire exercises. On 3 September, POLISARIO military staff at the local level refused to allow MINURSO to monitor one such exercise. The matter was raised with POLISARIO officials, who assured MINURSO of their full cooperation and indicated that action would be taken with regard to the incident. The Royal Moroccan Army (RMA) has also conducted live-fire exercises in all subsectors, maintained defence works, including firing positions and shelters, established ammunition sites and re-equipped and reorganized its units along the berm. The RMA has also conducted air missions and rehearsed air drills from Smara airport.

18. During the reporting period, difficulties arose owing to a lack of cooperation with MINURSO by some RMA officers. On 18 September, the Force Commander met with Moroccan military authorities in Agadir, who stated that appropriate action had been taken against RMA officers who had not cooperated with MINURSO. They also acknowledged the unauthorized movement of weapons in the Smara area and informed the Force Commander that appropriate action had been taken with regard to the unit commander concerned.

19. Both Morocco and the Frente POLISARIO have provided logistic support for MINURSO at the team sites. In this connection, the Frente POLISARIO has repaired the runways at the Agwanit and Tifariti team sites and promised to assist in repairing the runways of Mehaires and Bir Lahlou team sites. For its part, the RMA has repaired the runway at Oum Dreyga team site.

20. The maintenance of the ceasefire can be attributed to the cooperation of the parties, but also to the presence in the field and continuous patrolling activity of the military observers, as well as to the parties' confidence in their impartiality. During the current reporting period, MINURSO has made a special effort to avoid a rise in tension similar to that which occurred towards the end of the last mandate period in May 1996 and which was mentioned in paragraphs 19 and 20 of my report of 20 August. I am gratified, in this regard, that both sides have agreed to the Force Commander's proposal to suspend live-fire exercises with collective and heavy weapons during the months of October and November 1996.

Police component

21. The civilian police component, headed by Lieutenant-Colonel Jan Kleven (Norway), was reduced from a high of 91 in January 1996 to 44 by the end of May, and was then cut further pursuant to the suspension of the identification process, as described in my report of 20 August. It has been necessary to retain nine civilian police officers in order to ensure the security of equipment and computerized information in Laayoune and Tindouf. The civilian police component continues to provide escort and other assistance to MINURSO as necessary.

V. FINANCIAL ASPECTS

22. In its resolution 51/2 of 17 October 1996, the General Assembly appropriated $13,292,500 gross for the operation of the Mission for the period from 1 July to the expiration of its current mandate on 30 November 1996. In the same

resolution, the Assembly also appropriated $18,609,500 gross for the maintenance of the Mission for the period from 1 December 1996 to 30 June 1997, to be assessed on Member States at a monthly rate of $2,658,500 gross, subject to the decision of the Security Council to extend the mandate of the Mission beyond 30 November 1996.

23. Therefore, should the Council decide to extend the mandate of MINURSO, as recommended in paragraph 29 below, the cost of maintaining MINURSO will be within the monthly rate indicated in the preceding paragraph.

24. As at 31 October 1996, unpaid assessed contributions to the MINURSO special account for the period since the inception of the Mission to 30 November 1996 amounted to $54.2 million. The total outstanding assessed contributions for all peacekeeping operations as at 31 October 1996 was $1,776.2 million.

VI. OBSERVATIONS

25. Since the beginning of this year, I have kept the situation of MINURSO under close scrutiny, with a view to adjusting its strength and resources to the evolution of the peace process and ensuring that its operations are managed in the most cost-effective manner. It is for this purpose that I have proposed and carried out, with the consent of the Security Council, considerable reductions in the size and functions of MINURSO in the past few months. Following the suspension of the identification process, 240 of the original 410 authorized civilian posts have been withdrawn, leaving only 170. As indicated in paragraph 21 above, the suspension has also permitted a reduction in the civilian police component from 91 officers to nine.

26. In addition, a 20 per cent reduction of the military component has been effected. As a result, that component has now been reduced to the minimum number of military observers needed if MINURSO is to continue to monitor and verify the ceasefire, as required under its present mandate. The reduction of the Identification Commission and the military and civilian police components has also permitted a significant reduction in administrative support posts. These retrenchments have brought down the costs of the Mission by approximately 40 per cent, from an original figure of $48,456,000 per annum to a revised appropriation of $30,132,000 (net). I shall continue to keep the size of the mission under active review to ensure maximum efficiency and cost effectiveness.

27. The intensive efforts of my Acting Special Representative to assist the parties in finding a way to overcome their differences and the presence of the political office and the military observers have helped to reassure both parties of the continuing willingness of the international community to assist them in resolving the problem of Western Sahara. This has been important in ensuring respect for the ceasefire and reducing the danger of a return to hostilities if there is no progress in implementing the settlement plan. It is vital that the ceasefire continues to be respected and I would not recommend any action that could jeopardize the United Nations ability to help ensure that it is maintained.

28. The release of prisoners of war by the Government of Morocco is particularly welcomed and should help promote confidence. Cooperation with the Independent Jurist in the execution of his mandate would also be a step in the same direction. I urge the parties to contribute to further positive measures that can help improve the prospects for a lasting settlement.

29. I also urge the parties to continue cooperating with my Acting Special Representative in his efforts to find a resolution to the outstanding questions concerning the implementation of the settlement plan. In view of the recent indications that the parties are moving forward in this direction, and in order to allow time for further progress, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 31 May 1997, while making it clear that the international community cannot be expected to support the extension of the mandate of MINURSO indefinitely unless there is tangible progress towards the settlement of the question of Western Sahara.

30. I would like to thank my Acting Special Representative and the civilian and military staff of MINURSO for their untiring efforts to move the process forward.

ANNEX

Composition of the military component of MINURSO

	Current strength		
	Military observers	*Support units*	*Total*
Argentina	1		1
Austria	4		4
Bangladesh	6		6
China	16		16
Egypt	11		11
El Salvador	2		2
France	25		25
Ghana	6	7	13[a]
Greece	1		1
Guinea	3		3
Honduras	12		12
Ireland	8		8
Italy	5		5
Kenya	8		8
Malaysia	13		13
Nigeria	3		3
Pakistan	5		5
Poland	3		3
Portugal	6		6
Republic of Korea	0	20	20[b]
Russian Federation	25		25
Tunisia	9		9
Uruguay	13		13
United States of America	15		15
Venezuela	3		3
Total	203	27	230

[a] Support units (seven non-commissioned officers).

[b] Medical personnel.

DOCUMENT S/1996/914

Letter dated 6 November 1996 from the representative of Kenya to the Secretary-General

[Original: English]
[6 November 1996]

I have the honour to transmit to you the full text of the communiqué of the regional summit on the crisis in eastern Zaire, held at Nairobi, on 5 November 1996.

I should therefore be grateful if you could have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Njuguna M. Mahugu
Permanent Representative of Kenya to the United Nations

ANNEX

Communiqué of the Nairobi regional summit on the crisis in eastern Zaire, held at Nairobi on 5 November 1996

1. At the invitation of President Daniel T. Arap Moi, Presidents Yoweri Museveni of Uganda, Frederick Chiluba of Zambia, Pasteur Bizimungu of Rwanda, Isaias Afewerki of Eritrea and Benjamin Mkapa of the United Republic of Tanzania, Prime Minister Meles Zenawi of Ethiopia and Ferdinand Oyono, Minister for Foreign Affairs of Cameroon, representing Paul Biya, Current Chairman of the Organization of African Unity (OAU), met on 5 November 1996 at Nairobi to deliberate on the conflict in eastern Zaire.

2. Also participating in the Summit were Mr. Salim Ahmed Salim, the Secretary-General of OAU and Mwalimu Julius Nyerere, Facilitator of the peace process.

3. The Summit examined recent developments in eastern Zaire, resulting in armed confrontation, and expressed its grave concern at the deteriorating situation in that area and the threat posed to peace and stability in the entire Great Lakes region.

4. The Summit reaffirmed the commitment and solidarity of the countries in the region for the concern about the escalation of the conflict and agreed that an immediate ceasefire should be effected and strictly observed to enable the intensification of diplomatic efforts to achieve lasting peace.

5. The Summit reaffirmed its commitment to the territorial integrity of Zaire in accordance with the OAU Charter and, in particular, the Cairo Declaration of 1964 on territorial integrity and inviolability of national boundaries as inherited at independence and called for non-intervention and an end to cross-border incursions.

6. The Summit further reaffirmed the inalienable rights of all people within the internationally recognized territorial boundaries as stipulated in the OAU Charter on human and people's rights and other international conventions relevant to the rights of citizenship and nationality.

7. Taking cognizance of the plight of the refugees in eastern Zaire, the Regional Summit called for the immediate setting up of safe corridors and temporary sanctuaries inside Zaire to facilitate humanitarian assistance and the repatriation of refugees.

8. The Summit called for the intensification of efforts towards the voluntary repatriation of refugees to Rwanda. To enable the success of this effort, the Summit called for the implementation of the long-standing decision to separate the intimidators and bona fide refugees.

9. The Summit requested the Security Council to take urgent measures to ensure the establishment of safe corridors and temporary sanctuaries by deploying a neutral force. In this connection, the Summit called upon the Secretary-General of the United Nations to work closely with the OAU Secretary-General towards the realization of this objective. The Summit requested the Secretary-General of OAU to follow up closely the implementation of this decision. The Summit affirmed the readiness of the subregion to make its own contribution to that effect.

10. The Summit directed their Ministers for Foreign Affairs of Kenya, the United Republic of Tanzania and Ethiopia and the representative of the OAU Chairman to follow up closely on the decisions of the Summit.

11. The Summit mandated the four Foreign Ministers to visit Zaire to convey the decisions of this Summit.

12. The Regional Summit expressed its appreciation to President Daniel T. Arap Moi for hosting in Nairobi the Summit on the crisis in Zaire, and to the Government and people of the Republic of Kenya for the warm welcome and hospitality accorded to the delegations.

DOCUMENT S/1996/916

Letter dated 7 November 1996 from the Secretary-General to the President of the Security Council

[Original: English]
[7 November 1996]

I have the honour to refer to my letters of 14, 24 and 29 October 1996 to the President of the Security Council regarding developments in eastern Zaire [*S/1996/875, S/1996/878 and S/1996/888*]. Since the last of these letters the situation there has deteriorated dramatically.

More than 1.2 million Burundian and Rwandan refugees and tens of thousands of Zairians have been displaced by the fighting. Most of the refugees have abandoned their camps in the provinces of North Kivu and South Kivu and are moving westwards towards some of the most inhospitable and inaccessible areas in Zaire. Others have found their way to the United Republic of Tanzania and Uganda. Because of the severity of the fighting in and around the main towns and the breakdown of law and order, I was obliged for security reasons to authorize the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian agencies to withdraw their international staff temporarily to neighbouring countries. Those agencies have established stockpiles of relief supplies and their staff are eager to return but they cannot do so until they are assured of reasonable security conditions and of access to those in need.

Meanwhile, I decided on 5 November, after consultation with the United Nations High Commissioner for Refugees and the heads of other concerned agencies of the United Nations system, to appoint Mr. Sergio Vieira de Mello, Assistant United Nations High Commissioner for Refugees, to serve as Humanitarian Coordinator for the Great Lakes region, pending the recommendations on longer term arrangements for the coordination of the United Nations efforts in the Great Lakes region which I shall receive shortly from my Special Envoy, Mr. Raymond Chrétien.

The international community now faces a situation in which a million or more people are scattered in eastern Zaire beyond the reach of the agencies that can provide them with food and medical care. Unless effective action is taken urgently, many tens of thousands of human beings are going to die of hunger and disease. But this is not only a humanitarian crisis. The events of recent weeks have proved, if proof were needed, that peace and security will not be restored in the Great Lakes region unless the refugee problems created by the internal conflicts in Burundi and Rwanda are resolved. Urgent humanitarian action is required; but it must also be action that will help to create the necessary conditions for the orderly and secure repatriation of the refugees.

The immediate requirement is to stabilize the situation and to create secure conditions for the delivery of humanitarian assistance to the refugees and displaced persons. This will involve, amongst other things, the securing of airfields and border crossing points and the protection of logistics supply bases in eastern Zaire. It will also involve identifying and protecting accessible locations where the scattered refugees and displaced persons can be concentrated to receive help from the humanitarian agencies.

But this immediate response to the humanitarian emergency will also have to take into account less immediate considerations. All the Governments concerned acknowledge that there is a need for the early repatriation of the refugees. This is also the view of the international community. It will therefore be necessary to ensure that the short-term response does not re-create conditions in which refugees can again be intimidated by those who, for political reasons, do not want them to return to their home countries. On the contrary, the international community's response to this humanitarian crisis must mark the beginning of a programme of repatriation.

It is clear that in the prevailing conditions in eastern Zaire, these objectives cannot be achieved without the deployment, at least for a short period, of an international military force whose mandate would be to ensure the minimum security necessary to permit stabilization of the situation and enable civilian agencies to bring relief to the refugees and start preparing for their repatriation.

I have been considering what options exist for the establishment and deployment of such a force. Three in particular deserve study and have been discussed today with the Secretary-General of the Organization of African Unity (OAU). They are as follows:

(*a*) The first would be for a group of Member States to decide to establish and contribute to a multinational force and to seek the Security Council's authority to do so. The force would operate under command and control arrangements agreed between the countries contributing to it. This option has been used in a number of cases in recent years. Its great advantage is that it permits the deployment of a well-equipped and well-supported force, with adequate financial backing, more rapidly than if the task was entrusted to the United Nations, while keeping open the possibility for a United Nations force to take over from the multinational force as soon as conditions permit;

(*b*) The second option would be to deploy a United Nations peacekeeping force. The disadvantage of this option is that, as experience in recent years has shown, the United Nations lacks the capacity to deploy a strong enough force as quickly as is necessary to respond to a crisis of the kind that has beset eastern Zaire. But if the first option was chosen, a United Nations force could, as already stated, subsequently replace the multinational force;

(*c*) The third option would be the deployment of a regional force. While leaders of the countries in the region have given convincing evidence of their readiness and ability to take political action to address the problems in their region, they have indicated that they would need to be provided with financial and logistical support if they were to mount a substantial military force in the necessary timescale. The provision of such support would itself, of course, require additional time. During their summit in Nairobi on 5 November, the regional leaders indicated their preference for the Security Council to take urgent steps to deploy a neutral force.

If either the first or second option is chosen, it will be necessary for the organizers of the force to concert closely with OAU and to consult with the countries of the region, especially those in which the force is to be stationed and/or will need facilities. In this connection I am able to report that on 6 November President Mobutu of Zaire informed my Special Envoy, Mr. Raymond Chrétien, that he fully endorsed the decisions of the previous day's regional summit in Nairobi and was agreeable to the deployment of an international force on Zairian territory.

Given the need for urgent action if tens of thousands of lives are to be saved, time is of the essence. This suggests that the best response to the current crisis would be the first option, by which Member States with the necessary capacity would take the lead in putting together a multinational force, in consultation with the Secretary-General of OAU and the regional States concerned, and would seek the Security Council's authorization to deploy it. I therefore welcome the fact that the Security Council is focusing its attention on this option.

I should be grateful, Mr. President, if you would make this letter available to the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/918

Letter dated 8 November 1996 from the representative of the Congo to the Secretary-General

[*Original: French*]
[*8 November 1996*]

I have the honour to transmit to you herewith the text of the statement on the situation in eastern Zaire made in Geneva on 7 November 1996 by the President of the Republic of the Congo, President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa.

I should be grateful if you would have the text of the present letter and the annex thereto circulated as a document of the Security Council.

(*Signed*) Daniel Abibi
Permanent Representative of the Congo to the United Nations

ANNEX

Statement on developments in Zaire by the President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa

Central Africa is once again the victim of violent and bloody fratricidal fighting affecting the lives and the collective conscience of all the populations of our subregion.

This fighting has already caused the deaths of large numbers of innocent people and forced children, women and old people to take flight, giving rise to images that reflect despair and chaos.

Very recently, during the OAU Summit, held at Yaoundé from 8 to 10 July 1996, the Heads of State and Government of the countries members of the United Nations Standing Advisory Committee on Security Questions in Central Africa met to sign a Non-Aggression Pact.

Upon the completion of the work of this first Summit, the heads of State of the subregion emphasized the need for States to use bilateral and subregional consultative machinery in order to settle disputes peacefully.

It is to be regretted that, despite many ministerial meetings of our Committee that have repeatedly stressed the importance that the countries of the subregion attach to peace and security with a view to ensuring development and well-being for their populations, the current conflict involves countries members of the Committee.

Accordingly, with a view to preventing our subregion from once again becoming the scene of a new humanitarian tragedy, as Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I am making a solemn and urgent appeal to the parties to the conflict to bring the hostilities to an end.

I call on them to stand back from the conflict and to do everything within their power to emphasize consultation and dialogue.

To that end:

- The Republic of the Congo, which has the chairmanship of the Committee, offers its good offices with a view to silencing the weapons and ensuring that dialogue is given a chance, in order to restore a lasting peace and re-establish good-neighbourly relations based on mutual trust;
- The Republic of the Congo calls on the States members of the Economic Community of Central African States and of the Committee to make a concrete contribution to all constructive initiatives designed to restore and strengthen peace, brotherhood and mutual trust in the subregion;
- The President of the Economic Community of Central African States and Chairman of the Committee calls on the international community to continue and strengthen its support for humanitarian assistance for the refugees and the populations in the combat zone, with a view to forestalling a disaster.

In view of the urgency and seriousness of the situation, as President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I call on the heads of State of the countries members of the Economic Community of Central African States to meet as soon as possible in order to consider ways and means at our disposal of helping to bring an end to this tragedy that is striking our subregion.

Issued in Geneva, on 7 November 1996

Pascal Lissouba

DOCUMENT S/1996/919

Letter dated 8 November 1996 from the representative of Rwanda to the President of the Security Council

[*Original: English*]
[*8 November 1996*]

I have the honour to inform you, and through you, the members of the Security Council and the entire international community, about the readiness and disposition of the Government of Rwanda to welcome all Rwandan refugees who are in refugee camps under humiliating conditions in Zaire and in other parts of the world.

May I further inform the international community that the Government of Rwanda has made it public, in an appeal to the Rwandan refugees and to the international community, that all Rwandan refugees are warmly welcome in Rwanda.

The text of the appeal by Mr. Pasteur Bizimungu, President of the Republic of Rwanda, issued at Kigali on 4 November 1996, states:

"*Appeal to Rwandan refugees, the belligerents and the international community*

"Rwanda needs the unity of all its people to build a peaceful country, where every Rwandan citizen is accorded his rightful place, with equal rights and responsibilities for everyone. I therefore want to appeal to the refugees to return home. The country is eagerly waiting for you and we are fully prepared. There is no reason why you should continue to languish in refugee camps, suffering the humiliation of exile. Your home is right here in your country, and that is where you belong.

"I am also appealing for an immediate ceasefire, to allow for the smooth-running of the humanitarian action, in an atmosphere of freedom where everybody can make appropriate decisions for his future.

"For those assisting us, particularly the international community, we are waiting for authentic gestures of solidarity in this undertaking. We are calling upon you to join us in this process of the repatriation and resettlement of our compatriots. We are appealing for a joint action to be carried out with full dignity and respect for our people returning home."

The Government of Rwanda would like to dismiss the impression that has been created to the effect that Rwandan refugees cannot return. In this regard, we would like to state that according to our records more than 2.1 million refugees have returned to Rwanda since 1994 and they are happily settled in their respective communities inside Rwanda. Sources of the Office of the United Nations High Commissioner for Refugees (UNHCR) indicate that between 1.4 million and 1.6 million refugees have already come back to Rwanda since 1994.

In view of the above appeal by the President of the Republic of Rwanda and taking into consideration the plight of the remaining refugees in exile, the Government of Rwanda is now working very closely with UNHCR and other United Nations agencies in Kigali in order to prepare for convoys of returning refugees at the Rwanda/Zaire border.

We appeal to the international community to provide humanitarian assistance to the returning refugees inside Rwanda, including the provision of housing, medicine and other requirements necessary for rehabilitation.

I would be grateful if you would circulate this letter as a document of the Security Council.

(*Signed*) Gideon KAYINAMURA
Permanent Representative
of Rwanda to the United Nations

DOCUMENT S/1996/920

Letter dated 8 November 1996 from the representative of Zaire to the President of the Security Council

[*Original: French*]
[*8 November 1996*]

On instructions from my Government, I have the honour to confirm that, in accordance with the wish expressed by the President of the Republic of Zaire, Zaire hereby agrees to the deployment of a multinational force, pursuant to Chapter VII of the Charter of the United Nations, in order to address the grave humanitarian situation in eastern Zaire.

The Government of Zaire agrees with the Secretary-General that option (*a*) should be chosen, supplemented, if necessary, with option (*b*), as indicated in the letter dated 7 November 1996 from the Secretary-General addressed to the President of the Security Council [*S/1996/916*].

(*Signed*) Khabouji N'zaji LUKABU
Chargé d'affaires a.i. of the
Permanent Mission of Zaire
to the United Nations

ANNEX

Message from Deputy Prime Minister Kititwa

With reference to your handwritten note of 6 November 1996 concerning the draft resolution submitted by Germany and amended by France which is before the Security Council, I have the honour to inform you that the Council of Ministers, at its meeting on Friday, 8 November 1996, endorsed the decision taken by the President of Zaire agreeing to the deployment of a neutral multinational force in the Great Lakes region. The Council of Ministers understands that the force is to be a peacekeeping force in accordance with Chapter VII of the Charter of the United Nations, particularly insofar as the immutability of the borders inherited from the colonial period is concerned. This force must be of a limited duration and must be deployed along the borders inherited from the colonial period. It is the understanding of the Council of Ministers that the corridors will be the roads taken by Rwandan and Burundi refugees from Zaire to their respective countries, as Zaire intends to use these corridors to carry out the immediate repatriation of Rwandan and Burundi refugees. With regard to humanitarian assistance, the Council of Ministers has specified that it must be provided both to Rwandan and Burundi refugees and to displaced Zairians. Assistance to Rwandan and Burundi refugees must be distributed in Rwanda and Burundi. Assistance to displaced Zairians must pass through Zaire and be distributed by non-governmental organizations in collaboration with the Zairian Administration. Zaire also expects that the international community will strongly and unequivocally condemn the perpetrators of the aggression and unjust war imposed on eastern Zaire. Zaire calls on the United Nations to order Rwanda and Burundi to withdraw their troops from occupied Zairian territory, in accordance with the relevant provisions of the Charter of the United Nations and the Charter of the Organization of African Unity, and strongly to condemn the murderers of soldiers from the Zairian security contingent in the camps under United Nations mandate and the massacre of innocent civilians.

Jean-Marie KITITWA TUMANSI
Deputy Prime Minister and Minister for Foreign Affairs

DOCUMENT S/1996/922

Letter dated 11 November 1996 from the Observer of the Organization of African Unity to the Secretary-General

[*Original: English*]
[*11 November 1996*]

Pursuant to Article 54 of the Charter of the United Nations, I have the honour to forward herewith a letter addressed to you by the Secretary-General of the Organization of African Unity (OAU), together with the communiqué of the Fourth Extraordinary Session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution, held at Addis Ababa on 11 November 1996.

(*Signed*) Ibrahim SY
Permanent Observer of the Organization of African Unity to the United Nations

ANNEX

Letter dated 11 November 1996 from the Secretary-General of the Organization of African Unity to the Secretary-General

I have the honour to inform you that an extraordinary session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution at ministerial level was held today, 11 November 1996, at Addis Ababa to consider the current crisis in the Great Lakes region with special reference to eastern Zaire.

Also participating in the session were the ministers and other representatives of countries of the Great Lakes region, as well as representatives of the neighbouring countries of Zaire.

At the end of the meeting, a communiqué was issued, a copy of which is transmitted herewith (*see appendix*).

In transmitting the text of the communiqué I should like to draw your particular attention to paragraphs 6 to 10, which deal specifically with the issue of the proposed international force. Most specifically, your attention is drawn to Africa's disposition and readiness to contribute forces to the proposed international force. As you will note from the communiqué, in order for African countries to be able to do so and to ensure effective participation by Africa in the proposed force, financial, logistical and material support should be provided on a very reliable, dependable and sustainable basis.

I should, therefore, like to request you to have the text of this communiqué circulated as a document of the Security Council. Furthermore, I should like to emphasize that we share the concern for an urgent deployment of the proposed force. In this connection, I shall be consulting with a number of countries towards the attainment of this objective.

In the meantime, the Foreign Ministers of Cameroon, Ethiopia and Zimbabwe have been mandated to work in close cooperation with the Secretary-General of OAU with respect to this issue and I wish to assure you that we all remain available for consultation as you deem fit.

(*Signed*) Salim Ahmed SALIM

APPENDIX

Communiqué issued after the fourth extraordinary session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution at the level of ministers, held at Addis Ababa, on 11 November 1996

[*Original: English/French*]

The Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution held, at the request of the Government of Algeria, its fourth extraordinary session today, 11 November 1996, at the level of Ministers for Foreign Affairs. Mr. Ferdinand Leopold Oyono, Minister of External Relations of the Republic of Cameroon, chaired the session. Mr. Meles Zenawi, Prime Minister of the federal Democratic Republic of Ethiopia, addressed the session on the outcome of the Nairobi Regional Summit on the crisis in eastern Zaire, held on 5 November 1996. The countries involved in the Arusha peace process, including those of the Great Lakes region, as well as the other countries bordering Zaire, also attended the meeting at the invitation of the Secretary-General.

The session considered the report of the Secretary-General on the current crisis in the Great Lakes region, with special reference to eastern Zaire.

The Central Organ:

1. *Expresses its grave concern* at the humanitarian tragedy unfolding in eastern Zaire with its far-reaching implications for peace, security and stability in the region, and appeals for an immediate cessation of hostilities and for restraint;

2. *Underscores* the urgent need to provide humanitarian relief and facilitate the voluntary return of the refugees to their countries of origin;

3. *Fully supports and endorses* the decisions and approach taken by the regional leaders at their meeting of 5 November 1996 in Nairobi on the crisis in eastern Zaire. The Central Organ considers the Summit decisions as embodied in the press statement as a solid framework for defusing the crisis;

4. *Expresses its commitment* to the unity, cohesion and respect of the sovereignty and territorial integrity of Zaire in accordance with the OAU Charter and in particular the Cairo Declaration of 1964 on territorial integrity and inviolability of national boundaries as inherited at independence. It also calls for non-intervention and an end to cross-border incursions. The Central Organ reaffirms the inalienable rights of all peoples within the internationally recognized territorial boundaries as stipulated in the OAU Charter on Human and Peoples' Rights and other international conventions relevant to the right of citizenship and nationality;

5. *Underscores* the position that the setting up of a neutral force as recommended by the Nairobi Summit would have been the most effective manner of facilitating the creation of safe corridors and temporary sanctuaries and ensuring an effective African contribution to such a force. It regrets that the Security Council did not fully take into account this particular recommendation of the Nairobi Summit;

6. Nonetheless, given the decision by the Security Council to create a multinational force, the Central Organ *considers* that African participation in such a force is pivotal;

7. Given the resource constraints that would clearly face African contributors to the force, the Central Organ *underscores* the need for the Security Council and the international community at large to create a mechanism which would ensure an effective African participation. This means that financial, logistic and material resources should be provided on a very reliable, dependable and sustainable basis;

8. On the understanding that resources would be made available, the Central Organ *appeals* to all the African countries in a position to do so to contribute contingents to the proposed multinational force;

9. *Underscores* the need for clarity of the mandate of the proposed force, which should *inter alia* facilitate the provision of humanitarian relief assistance and the return of the refugees to Rwanda. It also stresses the importance of the proposed force being neutral. It urges a speedy deployment of the force and requests all parties concerned to extend maximum cooperation;

10. *Requests* the Secretary-General of OAU to enter into consultation with all concerned, especially with the Secretary-General of the United Nations, with a view to ensuring an effective African participation in the force;

11. *Reiterates* the crucial importance of separating the intimidators from the bona fide refugees, and requests the Security Council to consider this issue as a vital component of the efforts to ensure the safe and voluntary return of the refugees to Rwanda and create conditions conducive to the resolution of the crisis;

12. *Underscores* the importance and urgency of finding a durable and lasting solution to the crisis in the Great Lakes region and in this context reaffirms its support for the convening as soon as possible of the International Conference on Peace, Security and Stability in the Great Lakes Region as already agreed upon by OAU;

13. *Mandates* the Minister of External Relations of Cameroon (representative of the current Chairman), the Minister for Foreign Affairs of Ethiopia (representative of the past Chairman of OAU) and the Minister for Foreign Affairs of Zimbabwe (representative of the next Chairman of OAU) in cooperation with the Secretary-General of OAU, to follow the implementation of the outcome of this session and, in particular, the issue of the proposed force.

DOCUMENTS S/1996/940 AND Add.1

Report of the Secretary-General pursuant to Security Council resolution 1070 (1996)

DOCUMENT S/1996/940

[*Original: English*]
[*14 November 1996*]

I. INTRODUCTION

1. In paragraph 1 of resolution 1070 (1996) of 16 August 1996, the Security Council demanded once again that the Government of the Sudan comply fully and without further delay with the requests set out in paragraph 4 of resolution 1044 (1996) as reaffirmed in paragraph 1 of resolution 1054 (1996). In paragraph 2 of resolution 1070 (1996), the Council noted the steps taken by some Member States to give effect to the provisions set out in paragraph 3 of resolution 1054 (1996) and requested those States that had not yet done so to report to the Secretary-General as soon as possible on the steps they had taken to that end.

2. In paragraph 3 of resolution 1070 (1996), the Security Council decided that all States should deny aircraft permission to take off from, land in, or overfly their territories if the aircraft was registered in the Sudan, or owned, leased or operated by or on behalf of Sudan Airways or by any undertaking, wherever located or organized, which was substantially owned or controlled by Sudan Airways, or owned, leased or operated by the Government or public authorities of the Sudan, or by an undertaking, wherever located or organized, which was substantially owned or controlled by the Government or public authorities of the Sudan. In paragraph 4, the Council further decided that it should, 90 days after the date of adoption of that resolution, determine the date of entry into force of the provisions set out in its paragraph 3 and all aspects of the modalities of its implementation, unless it decided before then, on the basis of a report presented by the Secretary-General, on the compliance by the Sudan with the demand in paragraph 1 of the resolution. In paragraph 5, the Council requested the Secretary-General to submit a report by 15 November 1996 on the compliance by the Sudan with the provisions of paragraph 1 of the resolution.

3. The present report is submitted pursuant to the above-mentioned requests of the Security Council. Section II deals with steps taken by Member States pursuant to paragraph 3 of resolution 1054 (1996) and paragraph 2 of resolution 1070 (1996). Section III contains information on activities pursued by me and, on my behalf, by my Special Envoy to the Sudan, Mr. Lakhdar Brahimi. Section IV contains some observations.

II. MEASURES TAKEN BY MEMBER STATES PURSUANT TO PARAGRAPH 3 OF RESOLUTION 1054 (1996) AND PARAGRAPH 2 OF RESOLUTION 1070 (1996)

4. Since the issuance of my report to the Council of 10 July 1996 [*S/1996/541*] and the addenda of 17 and 23 July and 15 August 1996 [*S/1996/541/Add.1-3*] and pursuant to paragraph 2 of resolution 1070 (1996), three more replies from Member States have been received as at 11 November 1996 (*see annex*), bringing to 63 the total of replies received. All the replies have been issued as documents of the Security Council.

5. The three latest replies provided information in connection with paragraph 3 of resolution 1054 (1996). Two States reported that they had taken action in compliance with subparagraph 3 (*b*) of the resolution and indicated that they did not have diplomatic representation in the Sudan nor did the Sudan have diplomatic representation in their country. One State reported that the Sudan did not have diplomatic representation in it and added that it had no record of Sudanese Government officials or diplomatic personnel having entered the country and that the provisions of the relevant Security Council resolutions had been noted for appropriate action.

III. ACTIVITIES OF THE SECRETARY-GENERAL

6. On 19 August I transmitted to all Member States the text of resolution 1070 (1996). On 23 August I wrote a follow-up note verbale to all Member States on the implementation of paragraph 2 of that resolution.

7. On 8 October, I met with the Minister for Foreign Affairs of the Sudan, who briefed me on the status of the Sudan's relations with four of its neighbours, namely, Egypt, Eritrea, Ethiopia and Uganda. We discussed resolution 1070 (1996), and I stressed the importance of having the

full cooperation of the Government of the Sudan in implementing its provisions. I informed the Foreign Minister of my intention to send a mission to the Sudan to consult with his Government before submitting my report to the Security Council. The Minister welcomed this decision.

8. In preparation for this report, my Special Envoy undertook a mission to the Sudan from 26 to 30 October 1996 to consult with the Government and collect information on its compliance with the Security Council's demand. During his stay in the Sudan, my Special Envoy held consultations with the head of State, the Minister for Foreign Affairs and senior officials of the Ministry of Foreign Affairs, the Minister of the Interior and the Minister of Justice. Subsequently, on 30 and 31 October, he visited Cairo for contacts with Egyptian officials. The information gathered by my Special Envoy is summarized below.

A. *Compliance by the Sudan with the request for extradition in connection with the assassination attempt on President Mubarak*

9. The representatives of the Government of the Sudan maintained that the Sudan was innocent of the charges made against it with respect to three individuals suspected of involvement in the attempt to assassinate President Mubarak. The Government was not able to establish whether the three were present in the Sudan at the time the incident took place or at the time the Sudan was requested to hand them over. The Government knew that one of the suspects might have entered the country, but it had no further information. The authorities also stated that it had been proved that one of the three suspects was in Afghanistan and that there were indications that another might have gone to Kenya and that the third might have been killed.

10. The Government representatives told my Special Envoy that the information initially supplied was very sketchy and that Ethiopia and Egypt had not responded to their request for additional information. The Sudanese interlocutors also felt that the Security Council resolutions were unfair since they were based on the assumption that the three suspects were in the Sudan even though no evidence had been produced in support thereof. They claimed that it was now established that, even if any or all of the suspects had visited the Sudan at some point, none of them was present in the country at the time. Consequently, they wondered how the Sudan could be expected to extradite them.

11. Notwithstanding these protestations, the Sudanese authorities reiterated their willingness to cooperate fully with my Special Envoy and to comply with the request of the Security Council concerning the three suspects. They recalled that the Government had initially responded promptly to a request by Ethiopia by establishing a committee whose purpose was to locate the three persons. They added that, despite the meagre information and the alleged reluctance of Egypt and Ethiopia to provide additional information, the Sudan had throughout shown its willingness to search for the three inside and even outside the country.

B. *Compliance by the Sudan with the request concerning support to terrorism and steps to improve relations with neighbouring countries*

12. The Sudanese authorities reiterated their firm condemnation of all forms of terrorism and stressed their commitment to fight it in word and in deed. They noted that in the past the Sudan had provided proof of this commitment by extraditing "Carlos" and a number of other persons, including aeroplane hijackers.

13. Sudanese officials with whom my Special Envoy spoke acknowledged that the open-door policy (visa exemption) they had established in 1990 in the name of pan-Arabism might have enabled some terrorists to enter the country easily. They also did not exclude the possibility that some alleged terrorists might have infiltrated the country's long and unguarded borders. This was difficult to ascertain and would have been done without the knowledge of the authorities.

14. The Government was more keen than ever, my Special Envoy was told, to pursue the Sudan's long-standing policy of fighting terrorism. To this end it had adopted a number of new measures, such as reinstating the regulation requiring all foreigners to have entry visas, reviewing the status of all foreigners who had entered the country at a time when no entry visas were required, requesting a number of Egyptians, Palestinians and "Arab Afghans" (including Oussama Ben Laden) to leave the country (which they had), and undertaking very close scrutiny of applications for visas to enter, leave or reside in the Sudan.

15. Government officials also reiterated their readiness to welcome a Security Council mission to investigate any location in the country suspected of providing training for terrorists and to provide the mission with freedom of movement and of contacts and to allow it to travel to any part of the country it wished to visit.

16. My Special Envoy's interlocutors stressed the willingness of the Government of the Sudan to cooperate with any country which possessed information about any person in the Sudan who constituted a threat to that country's security.

17. The Sudanese authorities reiterated their commitment to the principles of the Charter of the United Nations and their willingness to strengthen and improve their country's relations with all neighbouring States without exception and to enhance regional cooperation. They pointed out that, contrary to the general impression, the Sudan maintained good relations with many of its neighbours. They assured my Special Envoy that they would welcome United Nations assistance in improving relations with the others.

C. *Humanitarian and economic aspects*

18. During my Special Envoy's mission, the Sudanese Government, trade unions, non-governmental organizations and private air transport companies all spoke of the likely negative humanitarian effects of the possible ban envisaged in resolution 1070 (1996) and gave my Envoy memoranda and petitions thereon. His attention was also drawn to the

potential negative impact on the health situation. My Special Envoy's interlocutors also underlined the likely economic consequences of a possible ban.

IV. Observations

19. In this and my earlier report [*S/1996/541 and Add.1-3*], I have placed before the Security Council the information transmitted to me by Member States on steps taken by them to implement the relevant resolutions of the Council. No communications have been received from Member States on the issue of the Sudan's compliance with the Council's demand. I am now placing before the Council the results of the mission to the Sudan by my Special Envoy, Mr. Lakhdar Brahimi.

20. As reflected in the preceding paragraphs, the situation has not changed significantly since my last report to the Council. While the Council demands compliance with its requests by the Government of the Sudan, the latter maintains that it cannot extradite suspects who are not in the country, that it firmly condemns all forms of terrorism, and that it is working to improve its relations with all its neighbours.

ANNEX

Replies submitted by Member States pursuant to paragraph 2 of resolution 1070 (1996)

The former Yugoslav Republic of Macedonia	21 August 1996	S/1996/703
Ghana	12 September 1996	S/1996/749
Singapore	11 October 1996	S/1996/850

DOCUMENT S/1996/940/Add.1

[*Original: English*]
[*24 December 1996*]

1. Since the issuance of my reports to the Council of 10 July 1996 [*S/1996/541*] and the addenda of 17 and 23 July and 15 August 1996 [*S/1996/541/Add.1-3*] and of 14 November 1996 [*S/1996/940*], a further two replies have been received from Member States as at 24 December 1996 (*see annex*) bringing to 65 the total of replies received. All the replies have been published as documents of the Security Council.

Measures taken by Member States pursuant to paragraph 3 of resolution 1054 (1996) and paragraph 2 of resolution 1070 (1996)

2. The two replies received provided information regarding paragraph 3 of resolution 1054 (1996). One State reported that it had taken action in compliance with paragraph 3 (*b*) of the resolution. The other State, in its second reply, reported additional measures taken in compliance with paragraph 3 (*b*) of the resolution.

ANNEX

Replies submitted by Member States pursuant to paragraph 2 of resolution 1070 (1996)

Saint Kitts and Nevis	26 November 1996	S/1996/995
United States of America	12 December 1996	S/1996/1048

DOCUMENT S/1996/941

Letter dated 14 November 1996 from the Secretary-General to the President of the Security Council

[Original: English]
[14 November 1996]

I have the honour to convey to you the attached communication which I have received today from the Permanent Representative of Canada to the United Nations, Mr. Robert R. Fowler.

I should be grateful if you would bring this communication to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Letter dated 14 November 1996 from the representative of Canada to the Secretary-General

The humanitarian situation in eastern Zaire continues to deteriorate. In particular, the plight of refugees and displaced persons in that region remains desperate while efforts by international humanitarian agencies to reach those in need continue to be impeded. Hundreds of thousands of lives are at risk, with many thousands liable to die in the absence of immediate relief. Action by the international community is required now to avoid a humanitarian catastrophe.

The Security Council, in its resolution 1078 (1996), urged Member States on an urgent and temporary basis and in cooperation with the Secretary-General and with the Organization of African Unity, to prepare the necessary arrangements, in consultation with the States concerned, to allow the immediate return of humanitarian organizations and the safe delivery of humanitarian aid to displaced persons, refugees and civilians at risk in eastern Zaire, and to help to create the necessary conditions for the voluntary orderly and secure repatriation of refugees. We envisage, as a legal framework for this intervention, a resolution under Chapter VII of the Charter of the United Nations providing for a mandate to act.

To this end, the Prime Minister of Canada and other Canadian authorities have consulted with a number of Governments, including those in the region. In our judgement, the international will now exists for the formation of a multinational operation. The Government of Canada is prepared to work without delay with other Governments to enable the deployment of a temporary humanitarian operation for eastern Zaire. We have secured the agreement of a number of Member States to participate in such an operation. We are also in contact with the Organization of African Unity. Canada would be ready to take the lead in organizing and commanding such an operation. The objectives assigned to that operation would be consistent with the ones outlined in resolution 1078 (1996), as stated in the preceding paragraph.

These are humanitarian objectives, which are not intended to interfere with the balance of military forces in the area or to support the re-establishment of camps in which armed elements are able to operate.

As we see it, this temporary humanitarian operation should terminate on 31 March 1997, unless the Security Council, on the basis of a report of the Secretary-General, determines that the objectives of the operation have been fulfilled earlier. Within that timeframe, and as soon as possible, the Security Council should authorize the deployment of a follow-up operation on the basis of recommendations by the Secretary-General. This would succeed the temporary multinational force. In this regard, we believe it would be appropriate for you to send an advance team to eastern Zaire with the purpose of reporting to you on the requirements for this follow-up operation and for the transition from the multinational force.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Robert R. FOWLER
Permanent Representative of Canada to the United Nations

DOCUMENT S/1996/942

Letter dated 15 November 1996 from the representative of Zaire to the President of the Security Council

[Original: French]
[15 November 1996]

Acting on instructions of my Government I have the honour to transmit to you herewith, for the information of members of the Security Council, the position of the Republic of Zaire on the deployment of an international force by the United Nations in eastern Zaire.

I have also been requested to state that the Government of Zaire, which adheres to the principle of the voluntary return of refugees to their country of origin, save where there is a threat to the security of the host State, is requesting that the international community become promptly involved in the search for third countries that would take those refugees who might have reasons for not wishing to return to their country of origin.

Zaire considers that the key to the crisis in eastern Zaire is the Rwandese or Burundi refugees. Accordingly it is imperative that a solution be found through the return or departure of all refugees to other climes in hopes that the region may calm down and be able to devote itself to the immense tasks of reconstruction.

I should be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Khabouji N'zaji LUKABU
Chargé d'affaires a.i. of the
Permanent Mission of Zaire to the United Nations

ANNEX

Position of the Government of Zaire, dated 14 November 1996, on the deployment of an international force by the United Nations in eastern Zaire

1. Since the Security Council plans to deploy a multinational force in eastern Zaire in order to deal with the vast humanitarian crisis there which constitutes a threat to peace and security in the region (*see resolution 1078 (1996) of 9 November 1996*), the Government of the Republic of Zaire should be formally consulted on the composition and mandate of that force and on the measures needed to implement the decision of the Security Council since:

(*a*) First, the Republic of Zaire is clearly the victim of aggression by the regular armed forces of Rwanda, Uganda and Burundi which have violated its territorial integrity and its recognized international boundaries;

(*b*) Secondly, Zaire in a spirit of solidarity has welcomed in its territory more than 2.5 million Rwandese refugees whose return to their country of origin is today made difficult because of the blockade and the policy of exclusion and ethnic cleansing practised by the State of Rwanda.

2. In the event that it is not consulted regarding the composition of the multinational force, the Government of the Republic of Zaire reserves the right to challenge any State which, because of its dealings with the aggressors finds it impossible to be neutral, any country which shows hostility to Zaire or any country whose nationals have taken up arms side by side with Rwanda against Zaire.

3. It is in this context that the Government of the Republic of Zaire objects to the sending or the presence in Kigali on Thursday, 14 November 1996, of a team of planners for the multinational force.

Since the multinational force is to be deployed in Zaire, why should the planning be done in Kigali?

The Government of the Republic of Zaire believes that the force should have its headquarters in Zaire and that the deployment of the multinational force should be planned with Zaire, not with Zaire's aggressors.

4. As for the mandate of the international force, the Government of the Republic of Zaire believes that it should be not only humanitarian but also political—and that it must be supported militarily, if necessary—in order to cover all aspects of the problem and ensure respect for the relevant provisions of the Charter of the Organization of African Unity and the Charter of the United Nations, particularly Chapter VII thereof.

This force should be able to move around and defend itself, if necessary, in order to make sure that it does not find itself blocked by the aggressors and its accomplices who might seek thus to consolidate their positions to the detriment of the country's legal institutions, as has happened in similar circumstances.

5. Furthermore, as long as the international force is in place:

(*a*) The Administration in North Kivu and South Kivu must be Zairian in the name of national sovereignty and the principle of the untouchability of frontiers;

(*b*) Humanitarian corridors must be organized for the large-scale repatriation of Rwandese and Burundi refugees to their countries of origin and the delivery of humanitarian assistance intended for them. Within these corridors they may be provided with the necessary minimum assistance;

(*c*) Non-governmental organizations and humanitarian agencies must work under the authority of the Coordinator for humanitarian operations of the Office of the United Nations High Commissioner for Refugees according to clear and precise rules consistent with the requirements of sovereignty to be agreed with the Government of the Republic of Zaire;

(*d*) The Government of the Republic of Zaire urges the NGOs and the international agencies involved in distributing humanitarian assistance to refrain from dealing with the illegal administrations established by the aggressors and their accomplices.

6. It is only when the refugees and aggressor foreign troops have left that the Government will tackle related issues including that of the granting of nationality—if it arises—in accordance with the Constitution and laws of the Republic of Zaire.

7. Since the context in which Zaire suggested and supported the idea of convening a regional conference on peace and security has long since changed, it would be advisable to consult the States in the region again on this issue.

The Government of the Republic of Zaire does not intend to embark on such an initiative unless there has been a positive development in the field, specifically with regard to the large-scale repatriation of Rwandese and Burundi refugees to their countries of origin and the withdrawal of all aggressor troops from Zairian territory.

In any event, the Nairobi Summit did not include the principle of such a conference in its recommendations.

(*Signed*) Gérard KAMANDA WA KAMANDA
Deputy Prime Minister and Minister of the Interior

DOCUMENT S/1996/944

Letter dated 15 November 1996 from the representative of Eritrea to the President of the Security Council

[*Original: English*]
[*15 November 1996*]

I have the honour to transmit to you a Press Statement issued today by the Ministry of Foreign Affairs of the State of Eritrea concerning the situation in eastern Zaire.

I should be grateful if the present letter and its annex would be circulated as a document of the Security Council.

(*Signed*) Amdemicael KAHSAI
Permanent Representative
of Eritrea to the United Nations

ANNEX

Press statement

The Government of Eritrea wishes to express its serious misgivings on the multinational force of intervention on eastern Zaire that is, apparently, under way.

The contemplated intervention force:

- does not, in fact, have a clear mission or mandate;
- completely neglects the core recommendation of the Nairobi Summit and the OAU Central Organ resolutions that call for the separation of the intimidators and the bona fide refugees;

- has not identified where, how, and to whom humanitarian assistance will be provided;
- does not know with whom to coordinate; and
- its duration has not been determined.

As may be recalled, the declaration of the Nairobi Summit of the regional leaders had unequivocally defined the objectives of the intervention force, which would be to create a temporary sanctuary to facilitate the voluntary repatriation of the bona fide refugees by separating them from the armed militias. It had expressly called for the effective intervention of African force under the umbrella and auspices of OAU. The OAU Secretary-General was accordingly mandated to liaise with the United Nations to promote these objectives.

The intervention now under way contravenes these salient points. It has been undertaken without due and adequate consultation with African countries. As such, it will not only induce a vicious circle and perpetuate the circumstances which bred the present crises, but it is also fraught with new and dangerous consequences.

In the circumstances, the Government of Eritrea expresses its deep concern on these preoccupying developments and withholds the pledge it had made at the beginning of this week to share in the burden by contributing a contingent to the multinational force of intervention unless and until it is conducted within the framework and spirit of the Nairobi declaration.

Ministry of Foreign Affairs
Asmara, 15 November 1996

DOCUMENT S/1996/945

Letter dated 15 November 1996 from the representative of Rwanda to the President of the Security Council

[*Original: English*]
[*15 November 1996*]

Following our conversation of this morning regarding the situation of Rwandan refugees in eastern Zaire and subsequent to the developments of the past 48 hours, I have the honour to inform you, and through you the Security Council, that thousands of Rwandan refugees who had been captives and hostages of the Interahamwe militia and the genocidal leadership of the former Government of Rwanda are now returning to Rwanda.

Over the past 48 hours we have been recording refugees crossing the border at a rate of 100 per minute. We expect that by early next week the majority of Rwandan refugees will have arrived back in their motherland.

The Government of Rwanda welcomes this long-awaited return of its nationals. We believe that the conditions for the continued orderly return of many more refugees are now in place.

I am also happy to inform the Council that the entire Cabinet today accompanied the President of the Republic of Rwanda to the Zairian border town of Goma to welcome the refugees as they arrived.

The local and government machinery has been mobilized throughout the country to prepare reception centres for refugees to receive them before they return to their own homes.

In view of the above-mentioned welcome developments, it is the view of the Government of Rwanda that the proposed multinational force is no longer relevant as far as rescuing Rwandan refugees in eastern Zaire is concerned.

Since the situation in eastern Zaire has changed, plans for the proposed multinational force should also be changed to adapt to the changing situation on the ground. In this regard, the multinational force should be smaller, the location of its troops should be reconsidered and a new mandate defined to enable it to address its purely humanitarian mission as rapidly as possible. The mandate of the multinational force should be for a limited period—two to three months at the utmost.

The mandate of the proposed multinational force should be reconsidered in view of the changing circumstances on the ground such that its task would be to disarm the ex-Rwandan Government soldiers and militia who have held thousands of Rwandan refugees captive in camps in eastern Zaire. It is also the view of my Government that the international community should help by providing adequate resources to facilitate the rehabilitation and integration of the returning refugees.

In this regard, the Government of Rwanda would like to urge the Council not to be hasty in adopting a resolution before the full facts about the changing circumstances on the ground can be obtained. That being the case, the Government of Rwanda would have no problem.

The humanitarian assistance that is required should be brought inside Rwanda in order to cater for the humanitarian needs that have recently arisen.

I should be grateful if the present letter could be distributed as a document of the Security Council.

(*Signed*) Gideon KAYINAMURA
Permanent Representative
of Rwanda to the United Nations

DOCUMENT S/1996/952

Botswana, Chile, China, Egypt, France, Germany, Guinea–Bissau, Honduras, Indonesia and Russian Federation: draft resolution

[*Original: English*]
[*18 November 1996*]

The Security Council,

Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,

Recommends to the General Assembly that Mr. Boutros Boutros-Ghali be appointed Secretary-General of the United Nations for a second term of office from 1 January 1997 to 31 December 2001.

DOCUMENT S/1996/953*

Report of the Secretary-General

[*Original: English*]
[*18 November 1996*]

1. The present report is submitted in accordance with General Assembly resolution 50/84 D of 15 December 1995 on the peaceful settlement of the question of Palestine.

2. On 30 August 1996, the Secretary-General, pursuant to the request contained in paragraph 8 of that resolution, addressed the following letter to the President of the Security Council:

"I have the honour to refer to resolution 50/84 D, which the General Assembly adopted on 15 December 1995, at its fiftieth session, under the item 'Question of Palestine'.

"Paragraph 8 of the resolution requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

"In order to fulfil my reporting responsibilities under this resolution, I should be grateful if you would kindly convey to me the views of the Security Council by 30 September 1996."

3. On 4 October 1996, the following reply was received from the Security Council:

"The members of the Security Council are gravely concerned about the recent developments and clashes resulting in deaths and injuries in Jerusalem and the areas of Ramallah, Bethlehem, Nablus and the Gaza Strip.

"The members of the Council stress the necessity for the concerned parties to pursue negotiations and to fulfil their obligations under the agreements achieved. The members of the Council continue to be determined to provide the needed backing to the Middle East peace process, giving full support to the agreements achieved as well as to the timely implementation of those agreements."

4. In a note verbale dated 30 August 1996 to the parties concerned, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization, regarding any steps taken by them to implement the relevant provisions of the resolution. As at 22 October 1996, the following replies had been received:

Note verbale dated 30 September 1996 from the Permanent Observer of Palestine to the United Nations to the Secretary-General

"The Permanent Observer of Palestine to the United Nations seeks to convey the position of the Palestinian leadership of the Palestine Liberation Organization and the Palestinian National Authority on this matter.

"Resolution 50/84 D was adopted in the General Assembly by an overwhelming majority (143-3-3), a reflection of the strong convictions of the international community with regard to the content of the resolution. The resolution recalls several principles of international law and the Charter of the United Nations. It provides support for the peace process and a more active and expanded role for the United Nations in this process. It also provides the basis for the just settlement of the question of Palestine, the core of the Arab-Israeli conflict, by the end of the process. As such, the resolution should serve as an acceptable basis for all parties to work on these important issues.

"In paragraph 2 of resolution 50/84 D, the General Assembly once again expressed its full support for the ongoing peace process, which began in Madrid, and the Declaration of Principles on Interim Self-Government

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* Circulated under the double symbol A/51/678–S/1996/953.

Arrangements, as well as the subsequent implementation agreements, and expressed the hope that the process would lead to the establishment of a comprehensive, just and lasting peace in the Middle East.

"Since the adoption of that resolution, some additional positive developments on the Palestinian-Israeli track of the peace process have taken place, in particular the redeployment of the Israeli army from major cities in the West Bank, with the exception of Al-Khalil (Hebron), and the holding of the Palestinian general election for the President of the Palestinian National Authority and the Palestinian Legislative Council. Unfortunately, several negative developments followed, including the assassination of Israeli Prime Minister Yitzhak Rabin, tragic bomb attacks against Israeli civilians, the imposition of an almost continuous Israeli siege of the Palestinian territory and the postponement of the redeployment from Al-Khalil.

"Since the new Israeli Government of Prime Minister Netanyahu took office, there has been further deterioration in both the situation on the ground and the status of the peace process. The Israeli Government has adopted guidelines which contradict the letter and spirit of the two binding agreements signed with the Palestine Liberation Organization, namely the Declaration of Principles of 1993 and the Interim Agreement on the West Bank and Gaza Strip of 1995. The Israeli Government has made it clear that the timetables agreed upon will not be respected and it persists with dangerous violations of the agreements, such as the continued siege of the Palestinian territory and intentional delays in redeployment from Al-Khalil, as well as ongoing attempts to create new facts with regard to occupied East Jerusalem. The Government has also resumed colonial settlement activities in the occupied territory, which violate the Fourth Geneva Convention of 1949 and could reverse the peace process as a whole.

"In addition to the above-mentioned, on 24 September 1996, the Israeli Government opened an entrance to a tunnel in the vicinity of Al-Aqsa Mosque in occupied East Jerusalem, which led to tragic events resulting in a high number of casualties among Palestinian civilians caused by the Israeli army and police, including more than 50 killed and over 1,000 injured. Clashes also took place between Palestinian police and the Israeli army. The situation remains a very tense and dangerous one at this stage.

"In the seventh preambular paragraph of resolution 50/84 D, the General Assembly affirmed the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem. That position acquires increasing importance in the light of the resumption of Israeli settler colonialism. Further, the Assembly, in paragraphs 4 and 5, stressed the need for the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination, and the withdrawal of Israel from the Palestinian territory occupied since 1967, and also stressed the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948.

"The Palestinian side believes that paragraphs 4 and 5 are of great importance and it strongly believes that the international community, represented by the General Assembly, should always uphold the principles of the Charter of the United Nations, international law, international humanitarian law and the validity of the Security Council resolutions. As such, the General Assembly has to uphold its position related to the inalienable rights of the Palestinian people, and it should maintain its position related to the elements of the final settlement (final status issues), where Israel has already created illegal, de facto situations, until negotiations on those issues take place and conclude in the second stage of the peace process and the final settlement is effectively achieved.

"In paragraph 7 of the resolution, the General Assembly emphasized the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles. The Palestinian side welcomes the progress made in this regard, especially in the fields of providing economic, social and other assistance to the Palestinian people. It welcomes in particular the work of the United Nations Special Coordinator in the Occupied Territories in the field of coordinating United Nations and international assistance to the Palestinian people. It also welcomes the moving of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to Gaza City and affirms the need for the continuation of the valuable and important work of UNRWA in other fields of operation outside the occupied Palestinian territory and the continuation of all field offices, including the field office in Jerusalem. Unfortunately, the United Nations did not participate in the observation of the Palestinian elections as called for in paragraph 7.

"The Palestinian side hopes that the United Nations will be involved in keeping the peace process alive and in assisting in the achievement of serious progress in the process. Involvement of the Security Council would also be a very important factor in the interest of the peace process.

"Indeed, the Security Council did contribute in salvaging the peace process by responding to the most recent events in the occupied Palestinian territory, including Jerusalem, by adopting resolution 1073 (1996) on 28 September 1996. We recall that the Council did similarly contribute positively after the massacre in Al-Khalil (Hebron) in Al-Ibrahimi Mosque by adopting resolution 904 (1994).

"The Palestinian side, as it did in previous years, would like to underscore the request made by the General Assembly in resolution 50/84 D for the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

"Finally, the Palestinian side believes that for the peaceful settlement of the question of Palestine to be achieved through the continued success of the current Middle East peace process, it is necessary to respect the basis upon which the process was initiated, namely the principle of the return of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973). It is equally important for the parties to comply with the agreements reached and to implement those agreements in good faith and without delay. The international community, especially the co-sponsors of the peace process, have a great responsibility in this regard."

Note verbale dated 30 September 1996 from the Permanent Representative of Egypt to the United Nations to the Secretary-General

"The adoption of this resolution in the General Assembly by an overwhelming majority constituted an indication of the strong commitment of the international community toward its contents. The resolution has encompassed several important principles of the Middle East process, namely in its reference to the Madrid Conference and the Declaration of Principles on Interim Self-Government Arrangements, as well as the relevant United Nations resolutions and the principles of international law. Egypt fully supports these principles and works tirelessly to bring the concerned parties towards a final settlement of the question of Palestine.

"The new Government that took office in Israel in May 1996 has, so far, adopted and implemented policies which were in clear contradiction to the letter and spirit of the above-mentioned principles, such as:

"(*a*) Delaying the implementation of the agreed upon troop withdrawal and redeployment from Al-Khalil (Hebron) and zones R and C as determined by the agreement dated September 1995;

"(*b*) Attempting to establish new facts that would change the situation on the ground in occupied East Jerusalem;

"(*c*) Resuming settlement activities in the occupied territories;

"(*d*) Delaying the holding of negotiations on issues of final settlement (final status issues).

"Many promises were made concerning the commitment of the Israeli Government to the principles of peace, as mentioned in resolution 50/84 D, yet the whole international community witnessed a complete stalemate in the peace negotiations as well as the adoption and implementation by that Government of policies that could reverse the peace process as a whole.

"Egypt opposes these policies and wishes to express its deep concern over the future of the Middle East peace process. The Government of Israel should fully respect and promptly implement the agreements reached in order to bridge the existing gap of mistrust and relaunch the peace process.

"In paragraph 7 of Resolution 50/84 D, the General Assembly emphasizes the importance of a more expanded role of the United Nations in the peace process. Egypt welcomes any progress in this regard, in particular in socio-economic fields as well as any assistance to the Palestinian people. The indispensable role of UNRWA in assisting the Palestinian people should be strengthened and the agency should dispose of adequate financial resources to fulfil this role."

Observations

5. During the past year, the Middle East peace process has been challenged by a series of tragic incidents, by the urgency of translating the signed agreements into peace and security for all and by the need to find solutions to outstanding issues acceptable to the parties concerned.

6. In accordance with the Interim Agreement of 28 September 1995 between Israel and the Palestine Liberation Organization, Israeli troops were withdrawn from the major West Bank cities, with the exception of Hebron, paving the way for the holding of the first Palestinian general election on 20 January 1996. Negotiations on a permanent status were formally launched in May 1996, raising hopes that tangible results would soon follow. However, these promising developments were compromised by a series of acts of violence in Israel, such as the bomb attacks of February and March 1996 by extremists. These acts of violence have had a negative effect on the peace talks, while the prolonged closure of the occupied territories imposed by Israel to prevent further terrorist attacks has severely affected the Palestinian economy and resulted in an increased level of unemployment.

7. The absence of progress in the peace process in the second half of this year caused frustration and disappointment. These in turn have led, to the Secretary-General's deep regret and concern, to the tragic events of September 1996 in Jerusalem, the West Bank and the Gaza Strip, which threatened to unravel the negotiating process and brought about a crisis of confidence between its parties, namely the Israelis and the Palestinians. In response to those events, the Security Council adopted resolution 1073 (1996) on 28 September 1996.

8. A few days later, on 2 October 1996, the Prime Minister of Israel and the Chairman of the Palestine Liberation Organization took the reassuring decision to resume negotiations aimed at solving outstanding issues and implementing the Declaration of Principles on Interim Self-Government Arrangements [*S/26560, annex*].

9. It was expected from the outset of the negotiation process that the road to peace would not be easy. However, the only alternative to that process is a return to instability, endemic violence, regional tensions and uncertain economic prospects. This imposes on all the participants in the peace talks a duty to listen to reason and to show the determination and flexibility needed to carry out the negotiations in earnest, in accordance with the principles agreed at the Madrid Peace Conference of 1991 and other agreements already reached, until a permanent settlement is achieved on the basis of Security Council resolutions 242 (1967) and 338 (1973). In addition, it is clear that for the Middle East peace process to produce truly comprehensive and lasting results, progress must be made also on the Israeli-Syrian and Israeli-Lebanese tracks of negotiation.

10. For its part, the United Nations will continue to support the peace process and to respond in an integrated way to the economic, social and other needs of the population in the

West Bank and Gaza. The coordinated approach to the delivery of assistance to the Palestinians implemented by the then United Nations Special Coordinator, Mr. Terje Roed Larsen, has proved effective, particularly in times of crisis. The relocation of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees from Vienna to Gaza City has resulted in closer contact between the Agency and the Palestine refugees and helped to create additional jobs in Gaza. However, economic and social conditions in the West Bank and Gaza remain dire and it is to be hoped that ways will be found to improve them in the near future, including by further easing and eventual lifting of the closure.

11. Following the departure of Mr. Larsen, who returned in October 1996 to Norway to join the new Government there, the Secretary-General has asked the Commissioner-General of UNRWA, Mr. Peter Hansen, to assume temporarily the functions of United Nations Special Coordinator in the Occupied Territories. The Secretary-General would like to thank Mr. Larsen for his valuable work in the service of the United Nations and the parties.

DOCUMENT S/1996/956

Letter dated 15 November 1996 from the Secretary-General to the President of the Security Council

[Original: English]
[18 November 1996]

In the addendum of 14 November 1996 to my report of 1 October 1996 to the Security Council [*S/1996/813/Add.1*], I recommended that the mandate of the United Nations Support Mission in Haiti (UNSMIH) be renewed until 30 June 1997 if the Government of Haiti requested an extension. I subsequently received from President Préval the attached letter, dated 13 November 1996. In this letter, President Préval notes that, according to current estimates, it would take eight to twelve months for the Haitian National Police to be able to ensure a secure and stable environment and requests me to convey to the Council his wish that UNSMIH's mandate be extended.

In these circumstances I confirm my recommendation that the mandate be extended until 30 June 1997 but will be ready to submit a report on the progress of UNSMIH's efforts before the end of the mandate thus extended, if the Council so wishes.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Letter dated 13 November 1996 from the President of Haiti to the Secretary-General

[Original: French]

The United Nations Support Mission in Haiti (UNSMIH) has enabled significant progress to be made towards ensuring security and stability, thanks to the assistance it has provided, in particular, to the Haitian National Police.

However, after 30 November 1996, the international community's assistance in the area of public security will remain necessary to the Haitian Government. It will allow the National Police to become stronger and to reach a satisfactory level of effectiveness. According to estimates by the Government and UNSMIH experts, it would take eight to twelve months for the Haitian National Police to be able to ensure a secure and stable environment.

In this context, it would be extremely desirable for the UNSMIH mandate to be extended. Therefore, I should be grateful if you would transmit this request to the Security Council.

(*Signed*) René PRÉVAL

DOCUMENT S/1996/959*

Report of the Secretary-General on the United Nations Disengagement Observer Force for the period 18 May to 18 November 1996

[Original: English]
[18 November 1996]

I. INTRODUCTION

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the last six months in pursuance of the mandate contained in Security Council resolution 350 (1974) and extended in subsequent resolutions, most recently resolution 1057 (1996) of 30 May 1996.

II. SITUATION IN THE AREA AND ACTIVITIES OF THE FORCE

2. During the period under review, the cease-fire in the Israel-Syria sector was maintained without serious incident and the area of operation of UNDOF remained calm.

3. UNDOF supervised the area of separation by means of fixed positions and patrols to ensure that no military forces were in it. The Force also carried out fortnightly inspections of armament and force levels in the areas of limitation.

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* Incorporating document S/1996/959/Corr.1 of 22 November 1996.

Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed some restrictions on UNDOF's freedom of movement.

4. In September and October there was a period of tension between Israel and Syria amid public speculation about the possibility of armed conflict. Tension has since subsided, following assurances by both sides through the intermediary of other Governments. During that period, the level of forces and armaments in the areas of limitation on both sides remained well below the ceiling established by the disengagement agreement of 1974.

5. UNDOF assisted the International Committee of the Red Cross with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population on request.

6. The Force Commander and his staff maintained close contact with the military liaison staffs of Israel and the Syrian Arab Republic. Both sides cooperated with the Force in the execution of its tasks.

7. As of November 1996, UNDOF comprised 1,052 troops from Austria, Canada, Japan and Poland (465, 188, 45 and 354 troops respectively), as well as 4 United Nations military observers detailed from the United Nations Truce Supervision Organization (UNTSO). In addition, UNDOF was assisted by the 73 UNTSO military observers of the Observer Group Golan (OGG). Major-General Johannes C. Kosters of the Netherlands continued as Force Commander. A map showing UNDOF deployment is attached at the end of the present volume.

III. Financial aspects

8. By its resolution 50/20 B of 7 June 1996, the General Assembly appropriated to the Special Account for UNDOF an amount of $32,254,900 gross for the maintenance of the Force for the period from 1 July 1996 to 30 June 1997, based on an average strength of 1,036 troops and a continuation of its existing responsibilities. The assessment of the appropriation, which is equivalent to $2,687,908 gross per month, is subject to the decision of the Security Council to extend the mandate of the Force.

9. Unpaid assessments to the Special Account for UNDOF as at 31 October 1996 amounted to $64.1 million. Total unpaid assessed contributions for all peacekeeping operations amounted to $1.8 billion.

IV. Implementation of Security Council resolution 338 (1973)

10. In deciding in its resolution 1057 (1996) of 30 May 1996 to renew the mandate of UNDOF for a further period of six months, the Security Council also called upon the parties concerned to implement immediately its resolution 338 (1973) and requested the Secretary-General to submit, at the end of the period, a report on the developments in the situation and the measures taken to implement that resolution.

11. The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement Security Council resolution 338 (1973) were dealt with in my report on the situation in the Middle East,[2] submitted in pursuance of General Assembly resolutions 50/22 A and B of 4 December 1995.

V. Observations

12. UNDOF, which was established in May 1974 to supervise the cease-fire called for by the Security Council and the agreement on disengagement between Israeli and Syrian forces of 31 May 1974, has continued to perform its functions effectively, with the cooperation of the parties. The situation in the Israeli-Syrian sector has remained quiet and there has been no serious incident.

13. Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

14. In the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 31 May 1997. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

15. In making this recommendation, I must draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to some $64.1 million. This sum, comparable to twice the current annual budget of UNDOF, represents money owed to Member States that contribute the troops who make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears.

16. In conclusion, I wish to pay tribute to Major-General Johannes C. Kosters and to the men and women under his command. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide the UNTSO military observers assigned to the Force.

DOCUMENT S/1996/960

Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III)

[*Original: English*]
[*19 November 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 24 of Security Council resolution 1075 (1996) of 11 October 1996, in which the Council, *inter alia*, requested me to report by 20 November 1996 on the progress made towards consolidating the peace process in Angola. It covers developments concerning the fulfilment of pending tasks since my last report to the Council of 4 October 1996 [*S/1996/827*], in particular the tasks of the União Nacional para a Independência Total de Angola (UNITA) in paragraph 12 of resolution 1075 (1996).

II. POLITICAL ASPECTS

2. Immediately after the adoption of Security Council resolution 1075 (1996), my Special Representative, Mr. Alioune Blondin Beye, undertook a series of intensive consultations with both parties, including with President José Eduardo dos Santos and with the leader of UNITA, Mr. Jonas Savimbi, who both committed themselves to the implementation of the provisions of resolution 1075 (1996). Earlier in October, Mr. Beye had held consultations in the region with the Presidents of Gabon, Namibia, Zambia and Zimbabwe, as well as with the Vice-President of South Africa, in follow-up to the summit meeting of States members of the Southern African Development Community (SADC). Several foreign dignitaries visited Angola in an attempt to encourage the parties to meet their obligations. The Managing Director of the International Monetary Fund, Mr. Michel Camdessus, also visited Angola at my request to discuss pressing economic and financial issues with the Government of Angola.

3. As promised by Mr. Savimbi, on 25 October 1996, UNITA submitted a list of tasks which it intended to fulfil by 15 November 1996. A comprehensive implementation timetable, encompassing all pending military, police and political tasks to be completed by both parties, was subsequently prepared by UNAVEM III in consultation with the Government, UNITA and the three observer States (Portugal, the Russian Federation and the United States of America) and adopted by the Joint Commission on 31 October 1996.

4. On 28 October 1996, UNITA submitted the list of officials it wished to nominate to the Government of National Unity and Reconciliation, as well as an updated list of deputies to fill the 70 seats won by UNITA in the legislative elections in 1992. In accordance with the provisions of the Lusaka Protocol [*S/1994/1441*]on the transformation of *Vorgan* into a non-partisan radio station, UNITA has completed the legal and administrative formalities and submitted the necessary documentation to the Government. Earlier, on 1 October, pursuant to the request of the Joint Commission, UNITA had submitted proposals on the special constitutional status of the leader of the largest opposition party. UNITA had also proposed that the current National Assembly, whose tenure expires on 26 November 1996, be transformed into a Constituent Assembly which would revise the country's Constitution.

5. The Government, for its part, has indicated that discussions on major political issues can begin only after the completion of the military tasks enumerated in the consolidated implementation timetable. At the same time, on 13 November, the National Assembly adopted legislation that revised the Constitution to extend its current mandate until legislative elections are held, which is expected to be within no less than two and no more than four years. Following the adoption by the National Assembly of the above-mentioned legislation, the Special Representative met on 14 November with the President of the Assembly to discuss the impact of this measure on the peace process and the need to resolve constitutional issues in the spirit of consensus and mutual consultation. He also travelled on 16 November to Bailundo to review with Mr. Savimbi the implementation of the pending tasks contained in the consolidated timetable. During the meeting, Mr. Savimbi once again committed his organization to complete all the tasks assigned to UNITA on 20 November. On 14 November, the Government submitted to the Joint Commission its proposals on the specific principles of the national reconciliation on the special status of the leader of the largest opposition party. The Government and UNITA proposals will be discussed within the framework of the Joint Commission. Although the long-awaited fifth meeting between President dos Santos and Mr. Savimbi on Angolan territory has not yet taken place, the two leaders have recently re-established telephone contact and discussed several crucial aspects of the peace process.

III. MILITARY MATTERS

A. *Quartering of UNITA troops*

6. By 18 November, the number of UNITA troops registered in the 15 quartering areas established by the United Nations had reached a total of 65,362. This figure includes personnel from the command and control post which UNITA has started to dismantle, as well as the "UNITA police" which were referred to in my last report to the Council [*S/1996/827*]. The latter are being quartered in accordance with the special plan approved by the Joint Commission. However, the number of UNITA personnel who have left quartering areas without authorization stood at 12,494 on 18 November. In the

meantime, it is expected that UNITA troops based in Cabinda will finally be quartered in the next few days.

7. As of 18 November, a total of 29,583 personal weapons, 4,454 crew-served weapons and 8,560 kilogrammes of ammunition had been handed over to UNAVEM in quartering areas. Outside the quartering areas, UNITA had handed over at five different locations 29,723 personal weapons, 4,772 light and medium crew-served weapons and 637,232 kilogrammes of ammunition. But the quantity and quality of weapons handed over by UNITA continues to be a matter of concern. At the beginning of October, the UNAVEM Force Commander submitted to the Joint Commission a comprehensive evaluation report, in which, while commending the effort made by UNITA, he recommended that it hand over to the United Nations additional and substantial quantities of various weapons. The main conclusion drawn in his report was that UNITA had not fully implemented the provisions of the Lusaka Protocol in this crucial area. Although UNITA challenged the report's basic assumptions, stating, in particular, that large quantities of its military equipment had been lost during the hostilities between September and November 1994, the Joint Commission approved its main recommendations. UNITA is therefore expected to make additional efforts to surrender more weapons and ammunition. On 26 October, UNAVEM discovered a company's worth of weapons in a warehouse in Negage, but until 18 November UNITA refused to cooperate in the transfer of those arms to United Nations custody. Inevitably this cast doubt on UNITA's sincerity in this matter. However, on 18 November, it was reported that UNITA had agreed to have the weapons in the Negage quartering area transported to the Lobito weapon storage area. This exercise should be completed by the week ending 30 November 1996.

8. UNITA claims that it has quartered all its troops in the diamond-producing provinces of Lunda Norte and Lunda Sul, but some reports indicate that this process also is not yet complete, as some of the UNITA police personnel have been transformed into "mining police". UNAVEM III has also received information that weapons are being distributed in some areas to so-called "local self-defence" or militia elements associated with UNITA. In the meantime, each party has accused the other of acquiring and stockpiling additional weapons and war matériel, which, in their view, might indicate preparations for renewed hostilities. UNAVEM III has written to the Government and UNITA delegations to the Joint Commission requesting them to provide the United Nations with specific information about where they allege such military equipment to be located, so that proper investigations may be conducted.

B. *Completion of the formation of the Angolan Armed Forces*

9. The selection of UNITA troops for incorporation into the Angolan Armed Forces (FAA) has proceeded, albeit slowly, with 16,152 UNITA personnel having been selected as of 18 November 1996. This number would have been higher had the Government not imposed restrictive selection criteria. Regrettably, all selected troops remain in quartering areas and their incorporation into FAA has still not begun, even though the Government has provided UNAVEM III with comprehensive plans in this regard. For these plans to become reality, however, extensive logistic arrangements must be in place, and I once again urge the Government to expedite all necessary preparations. The Government has indicated that it will be ready to incorporate the nine UNITA Generals (some of whom arrived in Luanda in September) into FAA only after the completion of the quartering process, but I believe that the earliest possible incorporation of these Generals would have a beneficial effect on the selection and incorporation process. The consolidated implementation timetable adopted by the Joint Commission calls for the selection of all 26,300 UNITA troops by 15 November and the incorporation of 11,300 of them by 20 November, with the remaining number scheduled to be formally inducted into FAA by 11 December 1996.

C. *Status of the ceasefire, free circulation of the population and security matters*

10. While the ceasefire continues to hold throughout the country, the number of ceasefire violations increased somewhat, reflecting remaining tensions in several provinces. A total of 90 incidents was reported from 1 October to 7 November, 54 of which have been confirmed by UNAVEM III. While many of these cases were related to disputes over diamond-producing areas or cattle rustling, on several occasions during the reporting period Government forces made incursions into areas vacated by UNITA; the Government forces also took over temporarily several locations around the city of Kuito (Bié Province), and one near Saurimo (Lunda Sul Province).

11. At the same time, some progress has been achieved in dismantling checkpoints maintained by UNITA and Government troops in various parts of Angola, thus contributing to the much-needed free circulation of people and goods. However, the dismantlement process is far from complete, and UNAVEM III is working with the parties to bring it nearer to completion.

12. As to interference by the parties with United Nations activities, it is regrettable that on several occasions UNAVEM III personnel have been harassed and prevented from carrying out their duties by both UNITA troops and Government police. Twenty such cases were attributed to UNITA and three to the Government. This behaviour, if unchecked, will continue to impede the operations of the Mission; the Joint Commission has repeatedly and strongly condemned such acts.

13. The last phase of the withdrawal of FAA troops from their forward positions, that is, in the Lunda Norte Province, commenced on 2 October 1996. While 453 FAA troops pulled back as required from Lucapa Town and Kalonda, some of them remained nearby, as well as near the town of Andrada; the Government insists that UNITA should vacate these sensitive areas before FAA continues its own withdrawal.

IV. POLICE ASPECTS

14. An operational plan for the incorporation of the UNITA police into the Angolan National Police (ANP) was approved by the parties on 29 October 1996. It envisages the assembly of UNITA police and their subsequent transportation to quartering areas where, after being registered, they will be disarmed and undergo a selection process for service with ANP. While UNITA gave the total strength of its police force as 5,500, UNAVEM has so far verified the presence of 4,962 of them in almost 300 locations throughout Angola.

15. According to the plan, the quartering of UNITA police was to be concluded by 10 November. However, the process started only on 11 November. Seven days later, 2,059 UNITA police had reported to quartering areas and had handed over 1,304 weapons of various types and 1,815 rounds of ammunition. In the meantime, the Government continued to canton successfully about 5,500 of its rapid reaction police. With regard to Government training of UNITA personnel to provide security for their leaders, 28 of them will complete their training in November and 79 others will follow shortly thereafter. In recent days, the process has proceeded slowly, owing again to the strict criteria imposed by the Government. The selection of the remaining bodyguards was completed on 15 November and the Government's final decision concerning the new recruits is being awaited.

16. The results of the initial phases of the programme for the disarmament of the civilian population, which was launched by the Government ahead of schedule, continue to be relatively modest. The United Nations is now encouraging the authorities to embark, under UNAVEM III verification, on the enforcement stage of this operation. The successful initiation of this phase could have a positive effect on the security situation in the country, which remains precarious, as well as promote a climate of confidence between the two Angolan parties. Indications are that the Government is planning to proceed with this phase only after the extension of the State administration throughout the country, so that it can implement the programmes simultaneously nationwide.

V. OBSERVATIONS

17. The Lusaka Protocol, which was signed on 20 November 1994, has brought a two-year respite to Angola, the longest period of peace the country has experienced for decades. Much progress has been achieved during this period, and the United Nations and Member States concerned can be proud of their contribution to it.

18. However, a long-lasting settlement in Angola has not yet been achieved. Since the peace process entered its crucial phase, the international community has become increasingly disappointed at the dangerously slow pace of the implementation of the Lusaka Protocol. This concern was expressed in strong terms in Security Council resolution 1075 (1996), in which, the Council, *inter alia*, enumerated a series of requirements that UNITA must promptly fulfil. Since then, the agreement on a consolidated timetable for the completion of pressing tasks has brought the most urgent issues into focus. Some progress has been made, especially in recent days, but implementation of the timetable is still behind schedule. Yet again, the commitments which had been solemnly entered into only a few weeks previously, have not been fully implemented, especially by UNITA. Again the expectations of the international community have been disappointed.

19. The completion in good faith by UNITA of the quartering of its forces still remains the paramount task to be achieved. It is imperative that the UNITA leadership cooperate fully with the United Nations in resolving outstanding issues related to the quartering of all its troops, the handover of all its military equipment and the formation of the unified armed forces. For its part, the Government is expected to complete all logistic preparations for the incorporation of UNITA troops and police personnel into FAA and ANP. Now is the time for the parties, in particular UNITA, to take decisive steps forward. I will provide the Security Council with a comprehensive update of the status of the peace process in my next report, which is due on 1 December 1996.

20. In the meantime, I urge the parties to avoid engaging in any activity which might jeopardize the peace process and aggravate the present, still tense, atmosphere. It is important that all Member States concerned step up their efforts in support of the peace process and, in this context, provide the Joint Commission with any available information on arms caches or acquisitions, as well as on clandestine concentrations of troops, in order to assist UNAVEM III in verification. I also strongly appeal to the Angolan parties, in particular to UNITA, to respect the safety and security of United Nations personnel and property. Obstruction of UNAVEM activities and harassment of its personnel are absolutely unacceptable.

21. In my forthcoming report to the Council, I will submit recommendations on the role that the United Nations should continue to play in Angola in order to consolidate the peace process, as well as plans for the further downsizing of the Mission's formed military units. In the meantime, pursuant to paragraph 45 of my last report to the Council [*S/1996/827*], I have decided to withdraw from Angola four United Nations infantry and support units, with a total strength of between 600 to 700 personnel, by the end of December 1996.

DOCUMENT S/1996/961

Report of the Secretary-General on the United Nations Preventive Deployment Force pursuant to Security Council resolution 1058 (1996)

[*Original: English*]
[*19 November 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1058 (1996) of 30 May 1996. By that resolution the Security Council decided to extend the mandate of the United Nations Preventive Deployment Force (UNPREDEP) for a period terminating on 30 November 1996. The Security Council also requested the Secretary-General to keep it regularly informed of any developments on the ground and other circumstances affecting the mandate of UNPREDEP. It further requested the Secretary-General to review the composition, strength and mandate of UNPREDEP and report to the Council by 30 September 1996 for its consideration. A preliminary review was contained in my report to the Council of 30 September [*S/1996/819*], in paragraph 16 of which I stated that I would present to the Council my recommendations regarding the future of UNPREDEP prior to the end of its current mandate.

II. COMPOSITION, STRENGTH AND MANDATE OF UNPREDEP

2. Since my last report to the Council, the composition, strength and mandate of UNPREDEP have remained unchanged. Its military component consists of two mechanized infantry battalions: a Nordic composite battalion and a United States Army task force, each with a strength of 500 personnel. These battalions are supported by a 50-person heavy engineering platoon from Indonesia. The total authorized military strength is 1,050 troops and 35 military observers. The number of civilian police monitors is 26, and the authorized strength of the civilian component is 168. International civilian and military personnel are drawn from 50 countries. The mission is headed by my Special Representative, Mr. Henryk Sokalski of Poland. The military component of the mission is headed by the Force Commander, Brigadier-General Bo Wranker of Sweden.

3. The current mandate of UNPREDEP derives from various decisions of the Security Council [*see S/1996/819, para. 7*]. Following President Gligorov's request on 11 November 1992 for the deployment of United Nations observers in the former Yugoslav Republic of Macedonia to avert the possible impact there of the conflict elsewhere in the former Yugoslavia, the Security Council, by its resolution 795 (1992) of 11 December 1992, authorized the establishment of a presence of the United Nations Protection Force (UNPROFOR) in that country. The mandate of UNPROFOR (subsequently renamed UNPREDEP by the Council in resolution 983 (1995) of 31 March 1995) in the former Yugoslav Republic of Macedonia was of a preventive nature, aimed at enabling the country to successfully weather a potentially turbulent and hazardous period.

4. The role of UNPROFOR, under Security Council resolution 795 (1992), was to establish a small monitoring presence on the former Yugoslav Republic of Macedonia's borders with Albania and the Federal Republic of Yugoslavia, with a view to monitoring and reporting any developments in the border areas which could undermine confidence and stability in the country or threaten its territory. It was envisaged that such a United Nations presence would also deter threats from any source and help prevent clashes which otherwise might occur between external elements and the country's forces. A small United Nations civilian police detachment was also authorized to monitor the local border police. The rationale for the latter deployment was to calm tensions arising from illegal attempts to cross the border.

5. The initial military component of UNPREDEP comprised a battalion of up to 700 all ranks and 35 military observers. By resolution 842 (1993) of 18 June 1993, the Security Council welcomed the offer by a Member State to reinforce the UNPROFOR presence in the former Yugoslav Republic of Macedonia by 300 troops. Subsequently, in its resolution 1046 (1996) of 13 February 1996, the Council authorized an increase in the strength of UNPREDEP by 50 military personnel, in order to provide for a continued engineering capability in support of its operations. At that time, UNPREDEP also became independent of other peacekeeping operations.

6. In my report to the Security Council of 16 March 1994 [*S/1994/300*], I pointed out that the UNPROFOR presence in the former Yugoslav Republic of Macedonia appeared to have contributed to stability and had raised the political price of any external aggression against its territorial integrity. However, it was the view of the Force that the more likely sources of violence and instability were internal and thus beyond its mandate [*ibid., para. 42*]. Although I had reported that UNPROFOR was ready to lend its good offices in appropriate circumstances, it had no mandate to intervene in the event that internal instability resulted in some form of civil conflict [*ibid., para. 37*].

7. By its resolution 908 (1994) of 31 March 1994, the Security Council encouraged the Special Representative of the Secretary-General for the Former Yugoslavia, in cooperation with the authorities of the former Yugoslav Republic of Macedonia, to use his good offices, as appropriate, to contribute to the maintenance of peace and stability in that Republic. The civilian component of the mission, acting under the broadened political mandate thus granted to my Special Representative, has assisted in bringing together various segments of the population in an effort to promote mutual understanding between communities, monitor human rights and ease political and inter-ethnic tensions within the country. This form of action has been of special importance in

view of the precarious social and economic situation, which has been compounded by the impact on the country of mandatory sanctions against the Federal Republic of Yugoslavia and the unilateral economic blockade from the south.

8. Humanitarian assistance to the local population, especially on the part of the national battalions, has also been an important contribution, examples of which have been cited in my earlier reports. The commitment of the mission's staff, both civilian and military, as well as external donors' trust in their work, have made it possible to initiate small but effective programmes which have complemented UNPREDEP's main mandate of preventive deployment and good offices. These have had important results in building confidence between the people of the host country and the mission. They have also paved the way for any successor arrangements that may be put in place once the preventive deployment operation in the country comes to an end.

III. ACTIVITIES OF OTHER UNITED NATIONS ORGANIZATIONS, AGENCIES AND PROGRAMMES

9. Besides the important role being played by UNPREDEP, other United Nations organizations, agencies and programmes are gradually expanding their role and presence in the country, as they carry out their mandated functions. Their focus has been on institutional capacity-building and their activities are complementary to the work of UNPREDEP.

United Nations High Commissioner for Human Rights

10. The small and locally staffed Skopje office of the United Nations High Commissioner for Human Rights, which has been active in the former Yugoslav Republic of Macedonia since 1993, maintains close contacts with the Government for purposes of information and advisory services on human rights. It also serves as a focal point on these matters for local human rights non-governmental organizations.

United Nations Children's Fund

11. The United Nations Children's Fund (UNICEF) works closely with the Ministry of Health, Education and Physical Culture and the Ministry of Labour and Social Policy in addressing the needs of children affected by the process of economic transition and the break-up of the former Yugoslavia, and their social and economic ramifications. The Fund's major activities focus on providing and implementing the country's child immunization programme and assisting in the formulation and execution of educational reforms, as well as developing alternatives to institutional care for children. It also offers assistance to the children of Bosnian refugees in the country.

United Nations Conference on Trade and Development

12. The office of the United Nations Conference on Trade and Development (UNCTAD) in Skopje is providing two international consultants to the Government to computerize the cargo division in 21 customs export offices of the Customs Administration. The 18-month project is expected to be completed by May 1997. Conceived as an institution-building and training project, it is designed to facilitate trade, improve customs efficiency and provide accurate import and export statistics.

United Nations Development Programme

13. Resource constraints continue to delay the establishment of a fully fledged office of the United Nations Development Programme (UNDP). However, UNDP has been able to advance its initial technical cooperation programmes. These include assistance to the Academy of Sciences and Arts in the preparation of a national development strategy, as well as support for investment promotion, standardization, metrology and quality control. The Programme is also actively involved, in consultation with UNPREDEP, in the preparation of a set of intersectoral projects in preventive peace-building designed for external funding.

Office of the United Nations High Commissioner for Refugees

14. The Office of the United Nations High Commissioner for Refugees (UNHCR) has been active in the repatriation of Bosnian refugees and their participation in the recent elections in their country. Some 897 refugees have already been repatriated and 300 more are awaiting clearance. The repatriation programme, which began last summer, will continue into 1997.

World Health Organization

15. The World Health Organization (WHO) currently maintains a liaison office in Skopje. Progress has been made on the implementation of a two-year cooperative agreement (1996-1997), based on the priority areas of the Euro Health Programme. The new activities to be initiated will concentrate on health policy development, health-care reform, prevention and control of communicable diseases, environmental health and maternal and child care. At the request of the Minister of Health, a WHO expert team has been investigating an outbreak of unidentified symptoms which affected 1,000 school children and resulted in the hospitalization of over 900 of them in the municipality of Tetovo.

World Bank

16. To date, the commitments of the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA) in the former Yugoslav Republic of Macedonia total some US$ 260 million and cover seven major projects. The latest credits include $8 million for a private farmer support project to increase agricultural productivity and income; $12 million for a private sector development project; and $17 million for a health sector transition project. Most recently the World Bank and the Government concluded negotiations on a structural adjustment loan to support trade liberalization and agricultural policy reforms.

International Monetary Fund

17. The International Monetary Fund (IMF) has completed two financial arrangements with the Government: a Systemic Transformation Facility arrangement and a standby arrangement, totalling disbursements of $75 million. The Fund and the Government have concluded negotiations for an Enhanced Structural Adjustment Facility agreement which would provide an additional $80 million over a three-year period, at concessional interest rates. The IMF Board's approval of this agreement is expected in January 1997. The Fund has also supported numerous technical assistance programmes, including two long-term projects, one with the Department of Banking Supervision of the National Bank of Macedonia and the other, a modernization project, with the Customs Administration.

IV. Recent developments

18. As I have previously reported to the Council, there has been considerable improvement in the relations between the former Yugoslav Republic of Macedonia and its neighbours. Nevertheless, there are areas where progress has been slow. After two meetings of the Joint Border Commission, no significant progress has yet been achieved on the question of the demarcation of the border with the Federal Republic of Yugoslavia. Likewise, in the dispute between Greece and the former Yugoslav Republic of Macedonia, some pending issues are yet to be resolved. Talks in this regard are continuing under the auspices of my Special Envoy, Mr. Cyrus Vance. Beginning on 6 November, the parties met in New York for several days and agreed to meet again at a mutually convenient date in December.

19. Inter-ethnic tensions continue to characterize the domestic political scene. The Government has stated that its policies of affirmative action on minority rights have produced positive results, particularly in the field of minority-language education, including at the university level. The present quota system provides for the university enrolment of students of a given ethnic group in proportion to that group's representation in the country's total population. Information provided by the Government also indicates that there is a steady increase in the number of staff from the various ethnic groups in State institutions.

20. The political parties of the ethnic Albanians, however, do not share the Government's assessment of the situation. Through both political action and street demonstrations, they have demanded that the Government improve the political status of Albanians and officially recognize the "University of Tetovo" within the existing educational system. They have also called for the release of all political prisoners, including the Rector of Tetovo University.

21. In the run-up to the local elections on 17 November, opposition parties expressed concern over a possible discrepancy in the number of eligible voters. Some parties have characterized the preparations and procedures of the electoral process as inadequate. These expressions of concern notwithstanding, an active electoral campaign was conducted by all major political parties, including those that had boycotted the second round of parliamentary elections held two years ago. Ultimately, except for a few incidents, the first round of the elections proceeded generally in an orderly manner.

V. Observations

22. As I had the opportunity to note in my most recent report to the Council [*S/1996/819*], peace and stability in the former Yugoslav Republic of Macedonia are intimately linked to the overall situation in the region. While much progress has been achieved there since the signing of the Dayton Agreement, it is clear that the international community's political and military involvement in the former Yugoslavia will of necessity continue for some time in order to consolidate peace and security. The original purpose of deploying a preventive United Nations mission in the former Yugoslav Republic of Macedonia was to prevent conflicts elsewhere in the former Yugoslavia from spilling over or threatening that country. Recent developments in the region, and the enhanced international standing of the former Yugoslav Republic of Macedonia, have made such a scenario more remote. Moreover, as noted above, it has become increasingly evident that the primary threat to the country's stability may come from internal political tensions. UNPREDEP has accordingly devoted considerable attention to strengthening dialogue between the political forces and has assisted in monitoring human rights and inter-ethnic relations.

23. As I stated in my report to the Council of 23 May 1996 [*S/1996/373*], I believe that at this time of financial crisis UNPREDEP, like all peacekeeping operations, must be rigorously evaluated in order to determine if its mandate is still relevant in the present context and, if so, whether it can be implemented with fewer resources. As pointed out in paragraph 43 of that report, the issue at stake is whether the current volume of patrolling and the current number of observation posts are absolutely necessary.

24. In previous reports I had concluded that, in order to implement the current mandate, the optimal strength and configuration of the military component of UNPREDEP was the one currently authorized. Nonetheless, I am conscious that, in this period of relative tranquillity, the Council may judge that economies are necessary. Last September, I submitted an analysis of the consequences of reverting to the original infantry strength of 700 all ranks, plus an engineering platoon of 50 [*S/1996/819*]. I am now in a position to inform the Council that a reconfiguration along these lines would offer savings of some $400,000 per month. It would require, however, that the force shift from an active and comprehensive patrolling capability to a more limited, and at times static, monitoring presence, particularly along the northern border, a number of observation posts being eliminated.

25. I shall continue to review the status of the deployment of the Force and its concept and strength, with a view to submitting further recommendations in the light of developments in the entire region and their impact upon peace

and stability in the former Yugoslav Republic of Macedonia. Meanwhile, it will be recalled that, in a letter addressed to me on 6 August 1996, the Government of the former Yugoslav Republic of Macedonia requested the extension of the UNPREDEP mandate for six months beyond 30 November 1996. I accordingly recommend that the mandate of the Force should be extended for a further six months, to 31 May 1997, with a phased reduction of the military component by 300 all ranks by 1 April 1997. This timing would allow for the reduction in the Force to be fully effected after the severe winter conditions have passed and for the Secretariat to undertake the necessary consultations with troop-contributing countries. During this mandate period I shall also consult United Nations agencies and other relevant organizations on the modalities for continuing international support to the former Yugoslav Republic of Macedonia. On this basis I will submit recommendations to the Council on the type of international presence that would be appropriate with effect from June 1997.

26. I wish to express my gratitude to the troop-contributing countries for their contribution to the success of UNPREDEP. I also pay tribute to my Special Representative, Mr. Henryk Sokalski, and the Force Commander, Brigadier-General Bo Wranker, as well as to the dedicated civilian and military personnel of UNPREDEP who have served the mission with distinction since its inception.

DOCUMENT S/1996/962

Twentieth progress report of the Secretary-General on the United Nations Observer Mission in Liberia

[Original: English]
[19 November 1996]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1071 (1996) of 30 August 1996, by which the Council extended the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 30 November 1996. It provides an update on developments in Liberia since my previous report, dated 17 and 22 October 1996 [*S/1996/858 and Add.1*], and contains recommendations on the future role of UNOMIL.

II. POLITICAL ASPECTS

2. It will be recalled that the revised timetable for the implementation of the Abuja Agreement [*S/1995/742, annex*] provided for periodic assessments by the Economic Community of West African States (ECOWAS), UNOMIL, representatives of the donor community and the Liberian National Transitional Government (LNTG). The first assessment meeting took place at Monrovia on 16 and 17 October 1996 under the chairmanship of Chief Tom Ikimi, Special Envoy of the Chairman of ECOWAS and Minister for Foreign Affairs of Nigeria.

Meeting of the ECOWAS Committee of Nine

3. The findings and recommendations of the assessment team were considered by the ECOWAS Committee of Nine on Liberia, which met at Monrovia on 8 and 9 November 1996. Member States of the Committee, including Benin, Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Guinea, Nigeria and Senegal, as well as Liberia, Mali, the Niger and Sierra Leone, attended the meeting. While Togo is a member State of the Committee of Nine, it did not send a representative to the meeting. My Special Representative, Mr. Anthony Nyakyi, the Eminent Person of the Organization of African Unity (OAU) for Liberia, the Reverend Canaan Banana, the Executive Secretary of ECOWAS, Mr. Edouard Benjamin, the Special Envoy of the United States of America for Liberia, Mr. Howard Jeter, and senior officials of the Governments of France and the United Kingdom of Great Britain and Northern Ireland, as well as the new ECOWAS Special Representative for Liberia, Mr. Balarabe Tafawa Balewa (Nigeria), were also present.

4. The Committee considered that the situation in Liberia had improved markedly since the tragic events of April and May 1996. It noted, however, that the restoration of the peace process continued to be hindered by violations of the ceasefire and other serious incidents, including the detention of members of the Ceasefire Violations and Disarmament Committees at Zwedru on 17 September, the takeover of Greenville by the National Patriotic Front of Liberia (NPFL) in September, and the massacre of 21 innocent civilians at Sinje on 28 September. The Committee also condemned the apparent attempt, on 31 October, to assassinate Councilman Charles Taylor, the leader of the NPFL. This incident, which took place in the Executive Mansion, is currently under investigation by a team composed of the Ministry of Justice, UNOMIL and the ECOWAS Monitoring Group (ECOMOG). The Committee decided to recommend for the consideration of the Chairman of ECOWAS the imposition of appropriate measures against the parties responsible for these incidents.

5. The Committee of Nine also adopted a code of conduct for the Council of State, with a view to ensuring that the actions and behaviour of its members conform to the letter and spirit of the Abuja Agreement. The code of conduct, which was accepted by all members of the Council, includes punitive measures to be taken by the Chairman of ECOWAS should its terms be violated.

6. The Committee noted with concern the continuing divisions within the Council of State. While it used the op-

portunity of its presence in Monrovia to try to facilitate the convening of a meeting of the Council, which has not met since the shooting incident on 31 October, it was unable to do so, given the difficulties of finding a venue considered neutral and safe by all members of the Council.

Preparations for elections

7. The Committee of Nine noted that strict adherence to the Abuja Agreement, especially with regard to disarmament, would be necessary in order to establish the conditions necessary for the holding of elections. In this connection, it established a subcommittee, which, under the chairmanship of the Minister for Foreign Affairs of Nigeria, and in consultation with the United Nations and the LNTG, would review the question of elections and develop the modalities of the electoral process.

8. For its part, the Council of State has established a committee in order to seek the views of Liberian civilian and faction leaders, as well as of the Government's external partners, on the major issues relating to the holding of free and fair elections in Liberia. The committee is currently focusing its work on a review of Liberian electoral laws and constitutional provisions; the establishment of an independent and impartial administrative mechanism for the management of the electoral process; the role of the international community in the holding of elections; and the technical, logistic and financial assistance necessary to support the electoral process.

9. In this connection, I have received a request from the LNTG to send a technical survey team to Liberia to study these issues. It is my intention to send the team to Liberia in the coming weeks. It will consult with the LNTG, ECOWAS and other interested parties with a view to preparing recommendations on the conduct of the electoral process and on the role the United Nations could play in this regard. In the meantime, an electoral officer has been assigned to UNOMIL to assist my Special Representative in carrying out this aspect of UNOMIL's mandate.

10. On 4 November, Mr. Lansana Kouyaté, Assistant Secretary-General for Political Affairs, met General Sani Abacha, the Head of State of Nigeria and Chairman of ECOWAS, to discuss, *inter alia*, how the United Nations and ECOWAS could further their cooperative efforts in support of the peace process in Liberia. The importance of continued close consultation between the two organizations on all matters relating to the Liberian peace process was recognized and reaffirmed.

III. MILITARY ASPECTS

Status of the ceasefire and disengagement of forces

11. The ceasefire continues to hold in Monrovia and most other parts of Liberia. On 27 October, Alhaji Kromah and Roosevelt Johnson, the leaders of the two wings of the United Liberation Movement for Democracy in Liberia (ULIMO), agreed to cease hostilities in the west and to create a buffer zone between their forces there. They also agreed to establish a joint committee of their ground commanders in order to ensure the cessation of hostilities and oversee the disengagement of their forces. ECOMOG and UNOMIL have increased their patrols in the area and have observed that, while the situation in the west remains fragile, the two factions have begun to implement their agreements.

12. Most areas of the south-east remained relatively calm during the reporting period. The Ceasefire Violations Committee (CFVC) has completed its investigation into an allegation by the Liberian Peace Council (LPC) that the NPFL had taken over the city of Greenville (*see map at the end of the present volume*). The CFVC concluded that the NPFL had overrun the city some time during the month of September 1996, in violation of the Abuja Agreement. As noted earlier, its report was considered by the ECOWAS Committee of Nine during its meeting at Monrovia on 8 November, which decided to forward the report to the Chairman of ECOWAS for review and appropriate action.

13. The LPC has also alleged that the NPFL is moving its forces north towards Zwedru in a plan to attack the area. The NPFL has denied these allegations. Attempts by the CVFC to investigate the matter have so far been unsuccessful because of the lack of cooperation from the LPC regarding security arrangements for a visit to the area. In the meantime my Special Representative has called upon Charles Taylor to desist from any intention he may have to attack Zwedru and/or its environs.

Deployment of ECOMOG and UNOMIL

14. The force strength of ECOMOG remains at 7,500 all ranks and its priority continues to be to ensure security in Monrovia. Consequently, the majority of ECOMOG troops are deployed in Monrovia and its environs, including Kakata and the Po River. ECOMOG is also deployed in Buchanan. During the reporting period, a battalion of ECOMOG troops was redeployed to Greenville in order to facilitate the cessation of hostilities there. ECOMOG is also taking steps to deploy at Harper, the only port where ECOMOG is not currently deployed.

15. As at 15 November, the military strength of UNOMIL stood at 23 observers (*see annex*). UNOMIL and ECOMOG have continued to prepare for disarmament and to undertake joint patrols in the west, in Grand Cape Mount and Bomi counties, and in the north in Bong and Nimba counties, in order to monitor the ceasefire and the other military aspects of the Abuja Agreement.

16. It is expected that an additional 11 military observers will be deployed to Liberia in the coming weeks, bringing the strength of UNOMIL's military component to 34 observers. These observers will be deployed in Monrovia and at other sites in the interior of the country, in conjunction with the deployment of ECOMOG and the commencement of disarmament. The deployment of any additional military observers to Liberia will depend on progress in the peace process, particularly with regard to disarmament and demobilization.

Disarmament

17. In accordance with the revised timetable for the implementation of the Abuja Agreement, disarmament and demobilization are scheduled to commence on 22 November 1996. The concept for implementation of this process was presented in my 17 October report. Despite the failure of the factions to implement fully the ceasefire and disengagement of forces by 31 August, the ECOWAS Committee of Nine has called on ECOMOG to take the steps necessary to prepare for the commencement of disarmament on 22 November, on the basis of the manpower and logistics currently available on the ground. To this end, the ECOMOG Force Commander has indicated that he will start deploying ECOMOG troops on 20 November to the following disarmament sites: Voinjama, Bo Waterside, Camp Naama, SOS Village, Zwedru and Tubmanburg. Disarmament will also take place in Monrovia, at Camp Schiefflin, and in Greenville. UNOMIL military observers will be co-deployed with ECOMOG at the disarmament sites. The commencement of this exercise, and indeed its successful conclusion, will, of course, depend on the willingness of the faction leaders to bring forth their fighters to be disarmed.

18. The current state of planning for the demobilization of the fighters after they have been disarmed is described below, in paragraphs 26 to 28.

Meeting of the ECOWAS Chiefs of Staff

19. The fourteenth meeting of the ECOWAS Chiefs of Staff was held at Monrovia on 5 and 6 November 1996. The Chiefs of Staff of Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Mali and the Niger reiterated the pledges made by their Governments to contribute additional troops to ECOMOG, provided the necessary logistic resources were forthcoming. These pledges amount to an additional 2,250 troops. The ECOWAS secretariat has requested all potential ECOMOG troop-contributing countries to provide it with details of the logistic requirements necessary for the deployment of their contingents, with a view to presenting these requirements to donor countries.

IV. HUMAN RIGHTS

20. The conflict in Liberia has been characterized by a tendency on the part of all factions to commit human rights violations against innocent civilians. The ECOWAS Committee of Nine deplored this tendency during its meeting on 8 and 9 November and called on the factions to desist from such practices. The ability of UNOMIL and local human rights groups to address reported violations of human rights has been impeded, however, by the looting that followed the outbreak of fighting in Monrovia on 6 April. Local human rights groups are in the process of rebuilding their capacity in this field and UNOMIL has continued to pursue its human rights mandate in both investigating and reporting on violations of human rights, and assisting local human rights groups in their work. In this connection, UNOMIL, in cooperation with the Ministry of Justice, ECOMOG and local human rights groups, is continuing its investigation into the 28 September massacre of 21 innocent civilians at Sinje, and is following up on other allegations of human rights violations, to the extent possible within its limited staffing and resources.

21. As noted in my previous report, I have assigned a human rights officer to assist my Special Representative in carrying out this aspect of UNOMIL's mandate and I am taking steps to appoint two additional human rights officers for UNOMIL. As UNOMIL strengthens its human rights activities, it will continue, in accordance with its mandate, to assist local human rights groups in raising voluntary contributions for training and logistic support. I call on the international community to consider ways in which it can assist in this regard and provide technical and logistical assistance, either through the United Nations Trust Fund for Liberia or on a bilateral basis.

V. HUMANITARIAN ASPECTS

Relief and resettlement

22. During the reporting period, the humanitarian community continued to respond to the humanitarian needs of civilians in all accessible areas. It is hoped that relief agencies can soon begin operating in the south-east following the ECOMOG deployment in Greenville. At the present time, only 4 out of 13 counties remain inaccessible to the humanitarian community. Nevertheless, civilians and humanitarian workers continue to be harassed and abused by fighters. The civilian population in several areas has been denied freedom of movement, with people being pressed into forced labour or having their meagre food reserves, standing crops and personal belongings stolen by the fighters. In some instances, civilians have asked relief workers not to bring them food, fearing that it would only attract further harassment and suffering.

23. As for the humanitarian community, a United Nations/non-governmental organization humanitarian team was detained on 17 October by fighters in Grand Cape Mount county. The situation is, however, expected to improve following the agreement between the two wings of ULIMO to cease hostilities. On 28 October in Phebe, Bong county, relief supplies, vehicles and equipment belonging to the World Food Programme (WFP) and the Lutheran World Federation (LWF) were seized and their staff harassed and detained. The shooting incident at the Executive Mansion in Monrovia on 31 October, by heightening tensions among the factions, has had an adverse impact on humanitarian operations in the interior and led to threats that relief workers would be taken hostage if arrests were made in connection with the incident.

24. The situation of refugees remains essentially unchanged since my previous report. While the new timetable for the implementation of the Abuja Agreement foresees that repatriation of Liberian refugees will start on 22 November

1996, the Office of the United Nations High Commissioner for Refugees (UNHCR) cannot reactivate its voluntary repatriation plan until there are clear indications that peace and security have been restored on a durable basis in the major areas of return.

25. Continued insecurity has also prevented UNHCR from assisting the majority of Sierra Leonean refugees living in rural areas of Liberia. UNHCR and its partners continue to extend protection and support to some 30,000 Sierra Leonean refugees in the Monrovia area. The large majority of this group are expected to seek assistance from UNHCR in returning home over the next 12 months.

Demobilization

26. In my report of 17 October, I presented a plan for demobilization, which had been developed by the United Nations Humanitarian Assistance Coordinator (UNHAC) and UNOMIL, in consultation with ECOMOG, the LNTG and the factions. The plan includes a two-stage programme. During the first stage, which begins as soon as combatants are disarmed, they are registered, interviewed and receive some counselling and a medical examination. Thereafter the second stage begins and those who have no immediate means of livelihood will be absorbed into "bridging activities", that is, work and training projects that will help ensure they are productively engaged. This will assist in bridging the gap between disarmament and longer-term reintegration programmes—which constitute the third stage and which are currently being planned by donors, but are not likely to be operational for some months.

27. As indicated earlier, ECOMOG is taking the necessary steps to commence disarmament on 22 November. However, because of the unwillingness of the factions to implement fully the first steps of the Abuja Agreement, that is, cessation of all hostilities and disengagement of forces, the resources necessary to implement the demobilization programme are not in place, especially as regards the bridging activities. Nevertheless, UNHAC and UNOMIL will start demobilization on 22 November, in tandem, to the extent possible, with the commencement of disarmament. However, as a result of the limited means available, the only demobilization assistance that can be provided at this time will consist of registration and interviewing.

28. As a stop-gap measure, UNHAC is working with non-governmental organizations and donors in order to mobilize any capacity that currently exists on the ground to start bridging activities immediately. However, since the present capacity of the humanitarian community is severely limited, these temporary measures can at best meet only a small proportion of the expected demand for bridging activities. To sustain the demobilization programme, additional resources must be provided urgently, either through the UNOMIL budget, which will shortly be submitted to the competent United Nations legislative bodies, or on a voluntary basis. The shortage of resources for bridging activities poses a potentially serious problem that would set back the peace process in the all too likely event that ex-combatants, in the absence of any alternative means of livelihood, turn to banditry or rejoin their factions. I therefore call on the international community to respond quickly to this urgent need and provide the resources necessary to enable critical bridging activities to commence as soon as possible.

VI. FINANCIAL ASPECTS

29. By its resolution 51/3 of 17 October 1996, the General Assembly provided an appropriation in the amount of $8,176,000 gross, to be assessed at a rate of $1,168,000 per month, for the maintenance of UNOMIL for the period from 1 December 1996 to 30 June 1997, subject to the decision of the Security Council to extend the mandate of the Mission.

30. Should the Security Council decide to extend the mandate of UNOMIL, as recommended in my report of 17 and 22 October [*S/1996/858 and Add.1*] and in paragraph 38 below, the additional requirements for the Mission will be sought from the General Assembly at its current session.

31. As at 31 October 1996, unpaid assessed contributions to the UNOMIL special account since its inception amounted to $10.5 million. The total of outstanding assessed contributions for all peacekeeping operations as at 31 October was $1,774 million.

32. Since my previous report, there have been no further voluntary contributions to the United Nations Trust Fund for Liberia.

VII. OBSERVATIONS AND RECOMMENDATIONS

33. Despite the disturbing shooting incident at the Executive Mansion on 31 October 1996, there have been some relatively encouraging developments during the reporting period. ECOMOG has acted quickly and decisively to respond to events in Liberia. Steps have also been taken to address the complicated question of how to hold free and fair elections in Liberia. Another positive development has been the recent demonstration of support on the part of the international community to assist the peace process in Liberia. In addition, the ECOWAS countries have reiterated their determination to increase the force level of ECOMOG, subject to the provision of logistic and financial resources.

34. During a special conference on Liberia, held at the working level in New York on 22 October 1996, under the auspices of the United Nations, donor and ECOWAS countries considered the various aspects of peacekeeping and peace-building in Liberia, which required external support to underpin the overall peace process. Their consideration of these issues will continue at the ministerial level during a conference scheduled to be held at Brussels on 21 November, under the auspices of the Government of the Netherlands. I call on donors to ensure that their expressions of support are quickly turned into concrete contributions, including the critical resources needed for the expansion of ECOMOG, the demobilization of combatants and the holding of elections.

35. During the 22 October meeting, concern was expressed that progress in the peace process had been adversely affected by the failure of the faction leaders adequately to inform their fighters about the revised timetable of the Abuja Agreement and the need to cease hostilities, disengage and prepare for disarmament and demobilization. To assist in this process, I have been exploring with the United Nations Development Programme (UNDP) and others the possibility of establishing a coordinated information programme in Liberia, based on radio broadcasts. A mission is being dispatched to Liberia to review this matter and develop recommendations on how to facilitate the wider dissemination of information.

36. While there have recently been some positive developments, the entrenched hostility and mistrust that have resulted from this protracted conflict continue to pose a threat to the peace process in Liberia. It is important that the faction and civilian leaders take steps to overcome these obstacles and work together constructively within the Council of State, so that the peace process can move forward. In this connection, I am encouraged by the recent rapprochement between the two wings of ULIMO. I remain concerned, however, about the continuing tensions between some of the other factions, in particular NPFL and LPC. I call upon the leaders of these factions to put aside their differences for the sake of peace in their country and to use the political process, instead of military means, to promote the interests of the people they claim to represent. I also call on them to facilitate the delivery of urgently needed humanitarian assistance to those in need.

37. In my previous report to the Security Council, I provided recommendations, as requested in Security Council resolution 1071 (1996) of 30 August, on additional ways in which UNOMIL could support the peace process in Liberia. In a letter addressed to me on 8 November [*S/1996/917*], the President of the Security Council indicated that the Council welcomed these recommendations and requested me to make all appropriate arrangements necessary to carry them out, on the understanding that the deployment of the personnel and logistic resources necessary for this purpose would not be undertaken unless sufficient progress was made by the factions in the implementation of the Abuja Agreement. I shall accordingly submit a revised budget for UNOMIL to the competent legislative bodies in the near future.

38. In the meantime, I recommend that the Security Council extend the mandate of UNOMIL for a further period of four months, until 31 March 1997. During this period, I will continue to keep the situation in Liberia under close review and submit to the Security Council by 31 January 1997 a progress report containing, *inter alia*, recommendations on the role the United Nations could play in facilitating the holding of free and fair elections in that country.

ANNEX

Composition of the military component of UNOMIL as at 15 November 1996

Bangladesh	3
China	2
Czech Republic	–
Egypt	4
India	3
Kenya	54
Malaysia	2
Nepal	–
Pakistan	2
Uruguay	2
Total	23

DOCUMENT S/1996/966

Letter dated 20 November 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*21 November 1996*]

I have the honour to refer to resolution 1076 (1996) on the situation in Afghanistan, which was adopted by the Security Council on 22 October 1996 and, in particular, to paragraph 7 of that resolution.

In accordance with that paragraph, I invited a group of 19 interested Member States, together with the Organization of the Islamic Conference (OIC), to a one-day meeting of consultation in New York on 18 November 1996. The purposes of the meeting were twofold: to brief the participants on the United Nations current efforts in Afghanistan in the political, humanitarian and developmental fields; and to discuss with them what more they could do to support those efforts, with special reference to the conclusion of a ceasefire and the initiation of a political process leading to a negotiated settlement of the conflict.

The Member States invited were China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Saudi Arabia, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan.

All participants made substantive contributions to the debate and a pleasing degree of consensus was revealed. The message that the meeting sent to the Afghan parties was clear. This well-informed and influential group of countries unanimously expressed their conviction that there was no military solution to the conflict in Afghanistan. They wanted an immediate ceasefire, which in the view of almost all of them should include the demilitarization of Kabul. They wanted the Afghan parties to join in a genuine effort to find a political settlement to their conflict. They expressed their readiness to join in coordinated international efforts to help the Afghan parties to achieve this.

All the participants said that the present situation could not be allowed to continue. It was intolerable in terms of the suffering it imposed on the Afghan people. It was also intolerable in the threats that it presented to the region and the world: the threats of regional destabilization, of drugs, of terrorism, of illegal arms flows.

The participants also reaffirmed the principles enshrined in General Assembly resolution 50/88 B of 19 December 1995, namely respect for Afghanistan's sovereignty, independence and territorial integrity; the need for the Afghan parties to negotiate a political settlement that would respect the rights of all groups, including their human rights; and an end to foreign interference, especially through the supply of arms. And they reaffirmed support for the kind of peace process that was outlined in paragraph 4 of resolution 50/88 B.

All the participants confirmed that the United Nations had a central role to play in helping the Afghan parties to define and implement a peace process, in close consultation with OIC, whose efforts should be complementary to those of the United Nations. They were unanimous in their appreciation of the efforts of the Special Mission under the leadership of Mr. Norbert Holl, especially his current efforts to bring about a ceasefire in and around Kabul, and pledged their continued support for those efforts. I was particularly encouraged that they responded positively to my call for close coordination between their own mediating efforts and those of the United Nations.

In my summing up at the end of the meeting I was able to conclude that the delegations present had responded positively on a number of key issues. They had indicated that they would use their influence with the various factions to persuade them to give up the military option and join in the common search for a negotiated peace. They had given a positive response to my request that countries with influence in Afghanistan should be ready, individually or collectively, to help the United Nations efforts when the United Nations so requests. Most expressed the view that it would be useful for the group to continue to meet informally from time to time and at various levels. There was also widespread support for the idea that in due course an international conference should be convened to support negotiations and endorse their results. A number of delegations offered to host such a conference and/or earlier direct negotiations between the Afghan parties.

Participants also showed a keen interest in collective action to curb or halt the flow of arms and ammunition into Afghanistan. Some suggested that the Wassenaar regime for the point of origin control of conventional weapons transfers could be useful in this context. Others favoured a formal arms embargo by the Security Council.

The participants were unanimous in their desire to alleviate the suffering which the Afghan conflict imposed on the ordinary people of that country. A number of them also shared my view that the promise of a major international effort to reconstruct Afghanistan when peace was restored could itself be an important incentive to the faction leaders to negotiate a peace settlement.

I conclude that this meeting was a useful first gathering of a group of countries that are particularly well placed to support the efforts of the Secretary-General to carry out the mandates entrusted to him by the Security Council and the General Assembly. It is my intention to convene further informal meetings of the group from time to time.

I should be grateful, Mr. President, if you would convey this information to the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

DOCUMENT S/1996/968

Letter dated 21 November 1996 from the Secretary-General to the President of the Security Council

[Original: English]
[22 November 1996]

I have the honour to convey the attached communication, dated 20 November 1996, which I have received from the High Representative, Mr. Carl Bildt.

I would appreciate your bringing it to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Letter dated 20 November 1996 from the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

I have the honour to transmit to you the enclosed Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina, outlining the guiding principles of the civilian consolidation plan (*see appendix*). I would like to request that these Conclusions be circulated as a document of the Security Council.

(*Signed*) Carl BILDT

Appendix

Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia-Herzegovina

Paris, 14 November 1996

CONCLUSIONS: GUIDING PRINCIPLES OF THE CIVILIAN CONSOLIDATION PLAN

1. The Ministers of Foreign Affairs or Representatives of France, Canada, Germany, Italy, Japan, Russia, the United Kingdom, the United States, the Presidency of the European Union and the Netherlands, the European Commission, the Organization of the Islamic Conference, the United Nations, the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organisation, meeting in Paris within the framework of the Steering Board of the Bosnia and Herzegovina Peace Implementation Council under the Chairmanship of the High Representative,

- Presidents Alija Izetbegovic, Chair, Kresimir Zubak, Momcilo Krajisnik, the Presidency of Bosnia and Herzegovina,
- the Foreign Ministers of Croatia and the Federal Republic of Yougoslavia, signatories, to the Peace Agreement and present as such,

met in Paris on November 14, 1996 in order to define the principles for civilian consolidation of the peace process which has been implemented in Bosnia and Herzegovina since the signature of the Peace Agreement in Paris on December 14, 1995. They welcomed the common platform of the Presidency of Bosnia and Herzegovina, which helps to create a good basis for peace consolidation in the country.

2. This first year of peace implementation has been marked by much progress and has opened the way to a lasting military and civilian stabilization of the country, allowing the organization of general elections and a start to establishing the common institutions of Bosnia and Herzegovina. Implementation of the first stage of the multi-year reconstruction programme has begun. Urgent humanitarian relief needs have diminished considerably. At the same time, only modest progress has been achieved on the return of refugees and displaced persons. The Presidency noted the Steering Board's concern at the lack of sufficient progress in implementing the Peace Agreement in a number of important areas.

To ensure continued success of the peace agenda, the Steering Board and the Presidency have today established guiding principles for their actions in 1997 and 1998. These guiding principles will pave the way towards further progress during the next two years, with the authorities of Bosnia and Herzegovina increasingly assuming greater responsibility for the functions now undertaken or coordinated by the international community.

Indeed, the prime responsibility for implementing the Peace Agreement lies with the different authorities of Bosnia and Herzegovina. Without compliance and active participation in rebuilding a civil society, they cannot expect that the international community and major donors will continue shouldering the burden of implementation and reconstruction efforts.

The participants emphasized that the consolidation of peace in Bosnia and Herzegovina is integral to stabilization of the region. They welcomed the positive initiatives taken in this sphere, and in particular the European Union's regional approach, the Stability Process initiated at Royaumont, the Southeastern European Cooperation Initiative, the Central European Initiative and the meeting of Foreign Ministers of Balkan countries.

3. The Presidency of Bosnia and Herzegovina reaffirms its commitment to fully pursuing—in the name of the three constituent peoples of Bosnia and Herzegovina—the peace process, in accordance with the Peace Agreement and the sovereignty and territorial integrity of this country, including the development of a Bosnian State based on the principles of democracy and consisting of the two entities: the Federation of Bosnia and Herzegovina and the Republika Srpska.

It accordingly undertakes as a high priority to establish all the joint institutions provided for in the Constitution and make them fully operational as soon as possible, as well as to resolve such disputes as may arise within this framework. The institutions comprise the Council of Ministers, the Parliamentary Assembly, the Central Bank, the Constitutional Court and the Standing Committee on Military Matters.

The Presidency of Bosnia and Herzegovina recalls its acceptance of the principle of the consolidation period and of aligning the duration of the first term of each of the bodies elected on September 14 with the two-year first term of the Presidency, in accordance with Article V of Annex 4 to the Peace Agreement. It will ensure the implementation of this undertaking by each of the bodies concerned, so as to promote the complete success of the consolidation period.

Conscious of the issues at stake in the peace process, the Presidency of Bosnia and Herzegovina expresses its gratitude to the international community for its efforts to establish and strengthen peace in Bosnia and Herzegovina. It recognises that the role of the international community remains essential and welcomes the readiness of the international community to continue its efforts.

4. Consequently, the Steering Board and the Presidency of Bosnia and Herzegovina have concluded the following:

The priorities of the consolidation period are:

1) Regional Stabilisation: pursuing control of armaments at the lowest possible level of weapons, and fully implementing the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996;

2) Security: creating a secure environment, re-establishing law and order, developing an independent judiciary, establishing democratic police forces, and strengthening the IPTF;

3) Human rights: ensuring full respect by all governmental authorities for the human rights of all persons, and supporting fully the work of the Human Rights Commission composed of the Ombudsperson and the Human Rights Chamber;

4) Democratization: building genuine democracy, including by promoting free media and freedom of expression throughout the country;

5) Elections: conducting municipal elections in 1997 as well as general elections in 1998;

6) Freedom of movement: increasing and ensuring freedom of movement for all persons, goods and services throughout Bosnia and Herzegovina;

7) Refugees and displaced persons: facilitating the return or resettlement of refugees and displaced persons through progressive, coordinated programs that address the need for local security, housing and jobs; and ensuring full compliance with Annex 7 as well as other established procedures;

8) War crimes: full cooperation with the International Criminal Tribunal, in accordance with Peace Agreement; indicted persons must be surrendered to the Tribunal without delay;

9) Reconstruction: ensuring that reconstruction and other economic assistance fosters the peace process as well as the development of economic and other links between parts of Bosnia and Herzegovina, and rewards those communities which cooperated with the peace process;

10) Market Economy: creating the best conditions for economic aid by constructing a market economy based on respect for free trade, open markets and the creation of a stable investment environment, by making the necessary legal reforms and by agreeing an IMF program;

11) Reconciliation: continuing efforts to promote long term reconciliation, such as by re-establishing contacts among all peoples in Bosnia and Herzegovina, and working harder to resolve cases of missing persons;

12) Education: re-establishing educational, university and vocational training systems; and

13) Mine removal: ensuring that responsible authorities within Bosnia and Herzegovina remove mines, in coordination with the Mine Action Centre (MAC).

The two-year consolidation period is divided into action plans of twelve months each, with a review at the mid-term. Each action plan will be prepared, for approval by the Peace Implementation Council or its Steering Board, by the High Representative, in close consultation with the authorities of Bosnia and Herzegovina as well as with the principal international institutions involved in implementing the Peace Agreement.

The Steering Board invites the High Representative to prepare the first action programme with a view to its approval on the occasion of the Peace Implementation Conference, to be held in London on December 4-5, 1996.

The OSCE is requested to continue to provide assistance for the preparation and conduct of municipal elections and, when appropriate, to provide assistance in the establishment of the Permanent Election Commission, in accordance with Annex 3, with respect to the elections scheduled to close the consolidation period.

Concerning reconstruction, the resources required will be granted for an initial duration of one year, on the occasion of a Donor Conference, arrangements for which will be made in London on December 4-5, 1996. Depending on progress, another conference will be called at the mid-term of the consolidation period. The donors will endeavour to implement the conclusions of the Economic Task Force, chaired by the High Representative, on priorities and principles of international reconstruction assistance.

5. Responsibility for consolidating the peace lies primarily with the authorities of Bosnia and Herzegovina, as was confirmed in particular in the joint declaration adopted in Geneva on August 14, 1996.

The Authorities of Bosnia and Herzegovina understand that the extent of the international support of the peace process depends on the strength of their own efforts. As noted above, there is a link between the availability of international financial assistance and the degree to which all authorities of Bosnia and Herzegovina fully implement the peace agreement, including cooperation with the International Criminal Tribunal and cooperation with action programs prepared by the High Representative. In addition, the authorities of Bosnia and Herzegovina, as well as other Parties to the Peace Agreement, understand that the Security Council, in accordance with its resolution 1074, will consider the imposition of measures if any Party fails significantly to meet its obligations under the Peace Agreement.

6. The Steering Board and the authorities of Bosnia and Herzegovina recognize the need for the High Representative to continue to perform his tasks throughout the entire consolidation period. His task needs to be reinforced in the following areas in particular;

- as Chairman of the Principals' meetings, as Chairman of the Economic Task Force and as Chairman of other meetings with key Implementation Agencies;
- in case of conflicting interpretations of the civilian implementation of the peace settlement, as the final authority in theater in accordance with Article V of Annex 10. In case of dispute, the High Representative may give his interpretation and make his recommendations known public;
- making recommendations to the authorities of Bosnia and Herzegovina or its entities.

7. Recognising the fundamental importance of a secure environment to the task of civilian implementation, the participants welcomed the ongoing study by NATO members in cooperation with other States participating in IFOR of options dealing with the evolving situation.

8. Aware of the importance of Agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996 pursuant to Articles II and IV of Annex 1B of the Peace Agreement, and determined to resolve the difficulties encountered in the application of those Agreements, the Parties reaffirmed their commitment to full implementation and strict avoidance of circumvention of any provisions of either agreement, especially with regard to the reduction of heavy weapons as set forth in the Agreement of Sub-Regional arms control. The Parties agreed to cooperate fully with each other and the OSCE Personal Representatives to resolve outstanding issues in the shortest possible time, but no later than the end of 1996. They requested the OSCE to continue the assistance that it is currently providing them in implementation of the Agreements.

With respect to regional arms control, and depending on satisfactory progress on the implementation on Articles II and IV, efforts undertaken to promote the implementation of Article V of Annex 1B will continue. It is expected that these issues will be addressed at the Summit of the Heads of States and Governments of the OSCE in Lisbon, on December 2-3, 1996.

9. The participants welcomed the holding of a plenary session of the Peace Implementation Council to take place in London on December 4-5, 1996. They hope that the conclusions of this conference will implement the guiding principles which they have adopted today. The Steering Board will play its role in full in the preparation of the London Conference. With that in mind, it accepts Germany's invitation to host a Steering Board meeting in Bonn, on 26 and 27 November 1996.

DOCUMENT S/1996/973

Letter dated 25 November 1996 from the representative of Morocco to the President of the Security Council

[*Original: French*]
[*25 November 1996*]

The Moroccan Government wishes to call the attention of the members of the Security Council to the serious discrepancies noted from a reading of the draft resolution currently being prepared on Western Sahara in connection with the settlement plan.

Firstly, this draft conceals the true reasons for the impasse in the process, the principal one being the refusal of the other party to participate in identifying a large number of applicants registered in good and due form.

The Secretary-General had, however, duly drawn the attention of the Security Council to this situation in his report of 24 November 1995 [*S/1995/986*], and had proposed a solution to circumvent that refusal. A draft resolution had been prepared in order to endorse the proposal of the Secretary-General.

As you know, however, having been distributed in provisional form and adopted in informal consultations, the draft was abandoned in response to the demands of those who were blocking the process, although they had no right to dictate the rules to be followed for the identification process.

The draft resolution makes no mention, moreover, of the achievements of the United Nations Mission for the Referendum in Western Sahara (MINURSO), such as the completion of the phase of registration of candidates and the consequent obligation of the Identification Commission towards all those whose applications had been registered in good and due form, which consists in proceeding with their identification without discrimination between those listed in the 1974 census and those who are not so listed.

My Government readily understands the need to emphasize the progress achieved in order to justify the extension of the mandate, an extension which we all desire, but it considers that the Council had the duty to indicate clearly to the Secretary-General and to his Acting Special Representative the measures to take in order to ensure the resumption of the process and its implementation.

Instead of that, the draft appears to take liberties with the settlement plan and gives directives to the Secretary-General without defining the legal framework for his action, which remains the settlement plan.

Lastly, we note with surprise that this draft introduces elements which are quite incompatible with the settlement plan, since many of its paragraphs are based on the question of contacts.

The Security Council, being aware that those contacts, officially described by our Government as "contacts with a part of the Saharan population and our lost sons with the aim of inducing them to return to the motherland", were not part of the settlement plan, should refrain from mentioning them in its resolutions, as the draft resolution would do.

Unfortunately, we note not only that the draft resolution being circulated contains references in several paragraphs to those contacts, but also that the references go far beyond the true scope of the contacts and the genuine signal of progress which the Council wishes to transmit as a justification for the extension of the mandate of MINURSO.

The Moroccan Government, which cannot reconcile itself to such provisions, wishes to appeal to the wisdom of the Council in order to ensure that the other party's desire for publicity does not outweigh the desire of the Council to comply with the settlement plan and to apply the measures available to it in order to ensure that the established rules are respected.

I should be grateful if you would have the present letter circulated to the members of the Security Council and to have it issued as a document of the Council.

(*Signed*) Ahmed SNOUSSI
Permanent Representative of Morocco
to the United Nations

DOCUMENT S/1996/978

Interim report of the Secretary-General on the implementation of Security Council resolution 986 (1995)

[*Original: English*]
[*25 November 1996*]

I. INTRODUCTION

1. The present interim report is submitted to the Security Council pursuant to paragraph 13 of resolution 986 (1995), by which the Council requested the Secretary-General to take the actions necessary to ensure the effective implementation of that resolution, authorized him to enter into any necessary arrangements or agreements, and requested him to report to the Council when he had done so. The actions for which the resolution gives the Security Council responsibility relate to four functions authorized by the Council, namely: (*a*) the sale of Iraqi petroleum and

petroleum products; (*b*) the purchase, confirmation of arrival in Iraq, and equitable distribution of medicine, health supplies, foodstuffs and materials and supplies for essential civilian needs of the Iraqi people (hereinafter "humanitarian supplies"); (*c*) reporting on the equitable distribution and adequacy of the humanitarian supplies; and (*d*) the establishment of an escrow account. These are dealt with in sections II to V below.

2. Pursuant to paragraph 13 of resolution 986 (1995), I began consultations with the Government of Iraq and informed the Council of them through a letter to the President on 1 June 1995 [*S/1995/495*]. In further consultations, I obtained the agreement of the Government of Iraq to conduct formal negotiations on the implementation of resolution 986 (1995). Subsequently, I requested the Legal Counsel to lead the talks with the Government of Iraq. These resulted in the conclusion on 20 May 1996 of a memorandum of understanding between the Secretariat of the United Nations and the Government of Iraq [*see S/1996/356*]. In the letter with which I forwarded the memorandum of understanding to the President of the Security Council, I expressed the view that it represented an important step in the arrangements required to bring resolution 986 (1995) fully into effect. In a letter dated 23 May 1996 [*S/1996/365*] the President of the Security Council informed me that the members welcomed the conclusion of the memorandum of understanding and extended their congratulations on that achievement.

3. To sustain the momentum generated by the signing of the memorandum of understanding, and with a view to expediting and consolidating actions required on the part of the Secretariat, I established a high-level Steering Committee on the Implementation of Security Council Resolution 986 (1995). The Steering Committee, which is chaired by my Senior Adviser, Under-Secretary-General Chinmaya Gharekhan, oversees steps taken in preparation for implementation of the resolution, maintains liaison with representatives of the Government of Iraq, and advises me on developments in this regard.

4. On 22 May 1996, the Secretariat submitted for the consideration of the Security Council Committee established by resolution 661 (1990) a draft text of expedited procedures in accordance with paragraph 12 of resolution 986 (1995), in which the Council requested the Committee, in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of the resolution. The Committee adopted the expedited procedures on 8 August 1996. I thereupon transmitted the text of the procedures, at the request of the Committee, to all Member States for their information and use as necessary.

5. While the consultations of the Committee on the draft procedures were under way, I dispatched to Iraq in June 1996 a technical reconnaissance mission comprising senior members of the Secretariat, together with petroleum and customs experts, in order to prepare for the speedy implementation of paragraphs 6 and 8 (*a*) (iii) of Security Council resolution 986 (1995), which deal respectively with the monitoring of the export of petroleum and petroleum products by Iraq and with the confirmation of the arrival of humanitarian supplies in Iraq.

6. The mission inspected the metering station on the Kirkuk-Yumurtalik pipeline at the border between Iraq and Turkey and Iraqi oil installations at Mina al-Bakr; ascertained the number of independent inspection agents required to monitor those installations; consulted with the Iraqi authorities on the number and location of entry points and other locations at which independent inspection agents would be stationed in order to confirm the arrival of the goods to be funded from the Iraqi escrow account; ascertained the number of independent inspection agents required for such confirmation; and discussed with the Iraqi authorities related logistical arrangements.

7. The mission received the full cooperation of the Iraqi authorities and was able to visit all facilities that it wished to inspect.

II. SALE OF PETROLEUM AND PETROLEUM PRODUCTS

8. In accordance with paragraph 1 of its procedures, the Committee established by resolution 661 (1990), in the performance of its duties, is to be assisted at Headquarters by United Nations independent experts in international oil trade, to be selected by the Committee and appointed by me as "overseers". Following their selection by the Committee on 9 August 1996, I have appointed Bernard Cullet (France), Alexandre Kramar (Russian Federation), Maurice Lorenz (United States of America) and Arnstein Wigestrand (Norway) to serve as the overseers. Further overseers may be appointed if it becomes clear that there is a requirement for them. Arrangements have also been made to ensure adequate support staff for the overseers.

9. In accordance with paragraph 6 of resolution 986 (1995) and paragraph 15 of the Committee's procedures, the Secretary-General is also to appoint independent inspection agents to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline through Turkey to the Ceyhan terminal and from the Mina al-Bakr oil terminal. On the basis of the assessment of the technical reconnaissance mission team described above, I have decided that a total of 14 inspectors will be required for monitoring purposes (4 at the Ceyhan terminal, 4 at the metering station on the Kirkuk-Yumurtalik pipeline at the border between Iraq and Turkey and 6 at the offshore Mina al-Bakr terminal). Accordingly, contractual arrangements have been made with Saybolt Nederland BV to provide 14 oil inspection agents in order to ensure the monitoring of those oil installations. In accordance with the memorandum of understanding, these agents shall enjoy the privileges and immunities of experts on mission.

10. From 22 October to 3 November 1996 an advance team from Saybolt visited Iraq in order to test the reliability of the metering equipment at the pipeline metering station near Zakho, at the border between Iraq and Turkey, and at

the Mina al-Bakr offshore oil terminal. Saybolt's logistical requirements in anticipation of the deployment of the oil inspection agents were also discussed. The advance team received full cooperation and support from the respective authorities.

11. With respect to the Mina al-Bakr terminal, the advance team determined that the export of oil could commence immediately subject to the on-site availability of adequate laboratory facilities. As for the metering station near Zakho, the team recommended a number of technical steps that needed to be taken in order to bring the metering systems up to acceptable standards. They specified the spare parts needed for the proposed repairs to the metering systems and offered to assist the Iraqi authorities in procuring and calibrating such equipment. Subsequently, the Secretariat was informed by the Permanent Mission of Iraq that the required spare parts had been located and that work was under way to upgrade, within a short period of time, the relevant installations in a way that would meet the requirements specified by Saybolt. I have requested Saybolt to undertake another technical mission to Iraq as soon as the Iraqi authorities confirm completion of the repair work.

12. On 17 November 1996, pricing mechanisms for loadings in December 1996 were submitted by the State Oil Marketing Organization of Iraq for the approval of the Committee.

13. In accordance with the procedures of the Committee, the pricing mechanisms have been sent to the overseers for their analysis and recommendations to the Committee. On receipt of these recommendations, the Committee will review the pricing mechanisms under its no-objection procedure.

III. PURCHASE, CONFIRMATION OF ARRIVAL IN IRAQ AND EQUITABLE DISTRIBUTION OF HUMANITARIAN SUPPLIES

Distribution plan

14. On 15 July 1996 the Government of Iraq submitted to me its distribution plan for the purchase and distribution of humanitarian supplies in accordance with paragraph 8 (*a*) (ii) of resolution 986 (1995). On 18 July the Government of Iraq was informed that I had approved its plan subject to the condition that its implementation would be governed by resolution 986 (1995) and the memorandum of understanding and would be without prejudice to the procedures employed by the Committee established by resolution 661 (1990). A copy of the categorized list of supplies and goods that accompanied the Government of Iraq's distribution plan has been made available to the Committee in accordance with paragraph 10 of the memorandum of understanding. The list was scrutinized by experts of the United Nations Special Commission who identified items that would be subject to notification by Iraq under the provisions of the export/import monitoring mechanism for Iraq, approved by the Council in its resolution 1051 (1996). The list of items falling under this category has also been forwarded to the Committee. The distribution plan and the letter conveying my acceptance of it are attached to this report as annexes I and II.

15. In accordance with paragraph 16 of resolution 986 (1995), the distribution plan confirms the willingness of the Government of Iraq to cooperate fully in order to allow, as explained in paragraphs 36 to 44 of the memorandum of understanding, unrestricted freedom of movement and access to United Nations personnel working for the United Nations Inter-Agency Humanitarian Programme, in connection with the performance of their functions, in particular observation of the equitable distribution of humanitarian supplies imported under the plan. The distribution plan allocates funds, on a sectoral basis, for the purchase and distribution of only those humanitarian supplies which are needed urgently. It contains corresponding estimated financial allocations relating to each of the sectors identified in section VII of the memorandum of understanding as food items, medical supplies and equipment, water and sanitation supplies and equipment, and other materials and supplies, in particular those needed for the rehabilitation of infrastructures essential to meet humanitarian needs.

16. To address the urgent needs in the food sector, a total of $804.63 million is allocated for the purchase and distribution of appropriate quantities of food commodities over a six-month period. In addition, $101.38 million is allocated for the purchase of soap and detergents, which form part of Iraq's ration basket, and for spare parts and logistic requirements related to the processing and distribution of food. An allocation of $210 million is made for the provision of good quality drugs, vaccines and medical equipment, including that required for vector control, as well as ambulances. Another $15.40 million is allocated to meet health infrastructure and nutritional needs. The sum of $44.20 million is allocated to meet urgent needs in the sector of water and sanitation supplies and equipment. Other materials and supplies included in the distribution plan are those required for the rehabilitation of infrastructures in the electricity, agriculture and education sectors, as well as for energy- and demining-related activities; the plan allocates $145.07 million for the purchase and distribution of these supplies. The total allocated to the sectors covered by the distribution plan would therefore amount to $1,320.68 million, of which $260 million is allocated to the three northern governorates. The estimated allocations by sector constitute indicative figures to give an order of magnitude of the intended use of resources. The actual amounts for humanitarian supplies will depend on market prices at the time of procurement.

17. The distribution of humanitarian supplies within the 15 governorates of central and southern Iraq will be undertaken by the Government of Iraq. For this purpose, the current food rationing system, which was introduced by the Government in 1990, will be employed. It provides for distribution to be effected through a decentralized network of food warehouses and distribution centres that supply rations to private retail stores, which in turn distribute monthly rations to households within their area. Transportation of these rations from warehouses to the retail stores is provided by the private sector and paid for by the Government. The warehouses are Government-owned and located throughout the 15 governorates.

The Programme in the Governorates of Dihouk, Arbil and Suleimaniyeh

18. In paragraph 8 (*b*) of its resolution 986 (1995), the Security Council stipulated that in view of the exceptional circumstances prevailing in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, $130 million-$150 million would be provided to the Programme from the escrow account every 90 days, except that if less than $1 billion worth of petroleum or petroleum products was sold during any 90-day period a proportionately smaller amount would be allocated for this purpose. This allocation is to enable the Programme to complement the distribution by the Government in central and southern Iraq of goods imported under resolution 986 (1995), in order to ensure an equitable distribution of humanitarian supplies to all segments of the Iraqi population. In view of this stipulation and as elaborated in the memorandum of understanding, the distribution of humanitarian supplies within the three northern governorates is the responsibility of the Programme. The Programme will function under the authority of the Department of Humanitarian Affairs at United Nations Headquarters.

19. Accordingly, and as agreed in paragraph 2 of appendix I to the memorandum of understanding, the Programme undertook to identify the humanitarian requirements of the three northern governorates, taking into consideration all relevant circumstances there and in the rest of the country so as to ensure equitable distribution. This exercise was also conducted in close cooperation and consultation with the local authorities. The identified requirements, covering a six-month period and totalling $260 million, were discussed with the Government of Iraq. They have been duly incorporated into the distribution plan (*for details see annex I*).

20. Humanitarian supplies will be stored in warehouses located within these governorates. The Programme will supervise the transportation and other logistic arrangements related to the delivery of humanitarian supplies destined for distribution within the governorates. Should such supplies be delivered to warehouses in Mosul or Kirkuk, the Programme will use United Nations personnel to control and manage the warehouses and will arrange for the supplies to be transported to the three northern governorates. The Programme will use current modalities and existing resources within the governorates for the distribution of humanitarian supplies.

Purchase of humanitarian supplies

21. I have taken steps to reinforce the team in the Secretariat in New York, which is responsible for the processing of applications for humanitarian supplies, in particular in the light of paragraph 33 of the expedited procedures of the Committee established by resolution 661 (1990).

22. The Programme will be responsible for the procurement of humanitarian supplies for the three northern governorates. Such procurement will be undertaken in accordance with paragraphs 3 and 4 of appendix I to the memorandum of understanding. In this regard, considerations pertaining to efficiency and cost-effectiveness will, as called for in paragraph 3 of that appendix, guide the discussions between the Programme and the Government of Iraq regarding the manner by which the bulk procurement of certain commodities will be undertaken. The process stipulated in that paragraph has been initiated.

Confirmation of the arrival of humanitarian supplies

23. The arrival in Iraq of humanitarian supplies funded from the escrow account will be confirmed by independent inspection agents appointed by me, in accordance with paragraph 8 (*a*) (iii) of resolution 986 (1995) and paragraph 36 of the procedures adopted by the Committee. On the basis of the assessment of the technical reconnaissance mission cited above, I have decided that a total of 32 independent inspection agents will be stationed at various sites in Iraq: 10 at the port of Umm Qasr, 11 at the Turkish border (Zakho/Faida), and 11 at the Jordanian border (Trebil). The independent inspection agents will keep the secretariat of the Committee and the Programme informed of the arrival of the humanitarian supplies and perform the functions required by paragraph 36 of the Committee's procedures.

24. Contractual arrangements have been made with Lloyd's Register Inspection Limited for the provision of the required number of independent inspection agents who, in accordance with the memorandum of understanding, shall enjoy the privileges and immunities of experts on mission. An advance team of technical experts from Lloyd's Register will proceed to Iraq shortly in order to inspect the designated entry points and discuss logistical requirements with the Iraqi authorities.

IV. REPORTING OBLIGATIONS

25. Mindful of the paramount importance that resolution 986 (1995) attaches to the equitable distribution of humanitarian supplies to all segments of the Iraqi population, I have appointed a humanitarian coordinator for the management of the Programme in Iraq. Mr. Gualtiero Fulcheri assumed his functions in August 1996 in Baghdad, where he and the United Nations Office of the Humanitarian Coordinator in Iraq (UNOHCI), will be based. He will be assisted by two Deputy Coordinators, located in Baghdad and Arbil, respectively. The Deputy Coordinator based in Arbil will be responsible for all United Nations activities in the three northern governorates, including the work of two sub-offices of UNOHCI in Dihouk and Suleimaniyeh. He will also coordinate the work of programmes, funds and agencies of the United Nations system in the three northern governorates. The humanitarian operation in the north will be served by dedicated transport and communication units, as well as logistics units (stationary or mobile), which will be principally responsible for the confirmation of the arrival of goods and their quantification, storage and warehousing. Related administrative and support services will be provided by the sub-offices of UNOHCI in Dihouk, Arbil and Suleimaniyeh.

26. The Department of Humanitarian Affairs has established an observation and reporting mechanism that will assist me in carrying out my reporting obligations under paragraph 11 of resolution 986 (1995), in particular on whether Iraq has ensured the equitable distribution of humanitarian supplies and on the adequacy of revenues to meet Iraq's humanitarian needs. The system will comprise three distinct but interrelated mechanisms: a geographical observation unit, a sectoral observation unit and a multidisciplinary observation unit. This system will ensure that the monitoring of equitable distribution of humanitarian supplies is undertaken on a governorate-by-governorate basis as well as by sector or activity.

27. The observation and reporting mechanism is also designed to evaluate the humanitarian situation in Iraq, including trends or sudden changes in the supply of and demand for humanitarian goods throughout the country. Observation and reporting will be carried out on the basis of the sectors identified in section VII of the memorandum of understanding, namely food, medical supplies and equipment, water and sanitation, and other materials and supplies. The memorandum recognizes that the criteria for determining "equitable distribution" will vary from sector to sector. Although these variations in criteria will be reflected in the specific procedures and operational arrangements for observation within sectors, in accordance with section VII of the memorandum, the following tasks will be common to all sectors:

(*a*) Cross-checking of arriving humanitarian supplies with those confirmed by the independent inspection agents at the entry points;

(*b*) Analysis of data from various sources, including relevant ministries of the Government of Iraq and programmes, funds and agencies of the United Nations system;

(*c*) Interviews with end users, which will include households and distribution agents;

(*d*) Random surveys (employing various sampling techniques), spot checks and, when appropriate, market surveys.

28. The findings of all United Nations geographical and sectoral observers will be collated, analysed and integrated by the multidisciplinary observation unit, which will include experts in the areas of agricultural inputs and machinery, plant protection, animal health, food logistics, public health, pharmaceuticals, hospital equipment, water and sanitation, education and electricity. Guidelines and standards to ensure effective observation and analysis of the distribution of humanitarian supplies will be established by the unit, which will report its analyses, conclusions and recommendations directly to the Department of Humanitarian Affairs of the Secretariat, as well as to the Humanitarian Coordinator who will, as necessary, communicate to the Department his own observations and those of other United Nations bodies in Iraq.

29. The multidisciplinary observation unit will be based in Baghdad, and will comprise 13 international staff. Sixty-three international staff members will be devoted to observation and reporting on a governorate-by-governorate basis (geographical observation). Furthermore, each United Nations programme, fund and agency participating in the Programme will have its own complement of international staff to observe and report on the sector for which it is responsible. They will work closely with the Humanitarian Coordinator in providing regular assessments of the equitability of distribution and adequacy of supplies in their respective sectors. The international staff responsible for sectoral observation will total 75. In addition to these 151 observation and reporting personnel based in Iraq, a team of up to eight staff within the Department of Humanitarian Affairs at Headquarters will be assigned exclusively to the observation function.

30. Paragraph 42 of the memorandum of understanding specifies that the exact number of observation personnel will be determined by the United Nations, and that the Government of Iraq will be consulted in this regard. In accordance with that paragraph, and on the basis of careful assessment in the field, I have determined that 151 observers based in Iraq would be essential for the United Nations to carry out effectively its observation and reporting requirements. This number will be adjusted as warranted by experience.

V. THE ESCROW ACCOUNT

31. In paragraph 7 of its resolution 986 (1995) the Security Council requested me to establish an escrow account, into which all proceeds of oil sales would be paid and from which all payments for the purposes specified in the resolution would be made.

32. In order to select a bank to be the holder of the escrow account, a working list was prepared of major banks in all parts of the world with the necessary credit quality ratings, strong capital positions and the capabilities to provide the services necessary for the account. After consultations with the Government of Iraq, a small number of those banks were asked to submit written proposals outlining their services and pricing. After careful consideration of the proposals received, Banque nationale de Paris was selected as the holder of the escrow account; the account has been opened at the bank's branch in New York.

33. As provided for in the memorandum of understanding, the United Nations Iraq account will be audited by the Board of Auditors, who are independent external public auditors. The Board will prepare periodic audit reports on the financial statements every six months. These reports will be submitted to me for forwarding to the Committee established by resolution 661 (1990) and the Government of Iraq.

VI. FINANCIAL IMPLICATIONS

34. Proceeds of oil sales amounting to $2 billion will be allocated as shown in annex III to the present report. The procedure for allocating oil sale proceeds will involve an immediate division of each amount received from those proceeds as follows (the references are to paragraphs of resolution 986 (1995)):

(*a*) Approximately 53 per cent will remain in the escrow account to provide funds for humanitarian purchases, as specified in paragraph 8 (*a*) and for any other expenditures approved by the Committee as being reasonable and necessary for the sale of oil, as specified in paragraphs 8 (*f*) and 9;

(*b*) Approximately 13 per cent will be set aside in a separate account established for the purchase of humanitarian goods to be provided by the United Nations Inter-Agency Humanitarian Programme, as specified in paragraph 8 (*b*);

(*c*) Thirty per cent will be transferred directly to the United Nations Compensation Fund, as specified in paragraph 8 (*c*);

(*d*) Approximately 2.2 per cent will be set aside for the various operational and administrative costs to the United Nations associated with the implementation of resolution 986 (1995), as specified in paragraph 8 (*d*). Should this estimate prove to be inadequate, appropriate reductions will be effected within the allocations mentioned in paragraph 16 above;

(*e*) Approximately 0.8 per cent will be transferred to a special account to meet the current operating costs of the United Nations Special Commission, as specified in paragraph 8 (*e*);

(*f*) One per cent will be transferred directly to the escrow account established under resolutions 706 (1991) and 712 (1991) for the payments envisaged under paragraph 6 of resolution 778 (1992), as specified in paragraph 8 (*g*).

35. The various operational and administrative costs referred to in paragraph 34 (*d*) above are estimated at $44.3 million for a six-month period, including distribution and in-country monitoring of humanitarian goods ($30,800,000), banking-related charges for the Iraq account ($4,000,000), auditing ($46,200), oil and customs inspection ($6,405,000), independent oil experts assisting the Committee ($469,200) and all other administrative costs ($2,622,600).

VII. OBSERVATIONS

36. Out of concern for the serious nutritional and health situation of the Iraqi population and the risk of its further deterioration, the Security Council adopted resolution 986 (1995) as a temporary measure to provide for the population's humanitarian needs until there is full compliance by Iraq with the relevant Council resolutions, including notably resolution 687 (1991). From the outset, I have been committed to an early and comprehensive implementation of the resolution and am pleased to be able to report that significant progress has been achieved since I transmitted to the President of the Security Council on 20 May 1996 the text of the memorandum of understanding between the Secretariat and the Government of Iraq.

37. Most of the arrangements required to bring resolution 986 (1995) into effect are today in place: the oil overseers have been appointed; contracts have been signed with firms which will supply independent inspection agents to monitor the export of oil from and confirm the arrival of humanitarian supplies in Iraq; the distribution plan has been finalized and approved; a Humanitarian Coordinator has been appointed and an observation and reporting mechanism prepared to ensure the equitable distribution of humanitarian supplies inside Iraq; and the escrow account has been opened. These steps have been taken after consultation with the Iraqi authorities, without whose full cooperation effective implementation of resolution 986 (1995) will not be possible.

38. Over the past two months, the Government of Iraq has, however, raised several new issues. It has requested "assurances" that nothing will disrupt the implementation of resolution 986 (1995) once it has begun; that it should receive copies of the contracts signed by the Secretariat with commercial firms related to implementation of 986; that the State Oil Marketing Organization should be the beneficiary of letters of credit involving the sale of Iraqi oil; that all local staff currently employed by the United Nations in the three northern governorates should be dismissed and that names of new personnel should be cleared in advance by the Iraqi authorities. Furthermore, Iraq has insisted that prior approval of the pricing mechanism by the Committee established by resolution 661 (1990) was a condition for bringing resolution 986 (1995) into effect. It has also complained about what it perceives as lack of consultation by the Secretariat on the number of humanitarian observers who will be stationed in central and southern Iraq. These issues have been discussed in several meetings at Headquarters between senior officials of the Secretariat and a delegation led by the Permanent Representative of Iraq. The Security Council has been kept fully informed.

39. I am confident that, as a result of these meetings, the Government of Iraq has a thorough understanding of my position regarding the discharge by the Secretariat of its functions in accordance with resolution 986 (1995). One of the most fundamental aspects is the unrestricted freedom of movement of United Nations personnel, an area on which the Humanitarian Coordinator and his staff have recently encountered difficulty with regard to their travel inside Iraq. I expect the Iraqi authorities to abide by all their obligations under resolution 986 (1995) and the memorandum of understanding. The Government of Iraq has provided assurances in this regard through its Permanent Representative.

40. For resolution 986 (1995) to be implemented as it was intended, it will be necessary for several actors to work together, principally the Government of Iraq, the Secretariat and the Committee. Each has clear responsibilities under the resolution, which have been elaborated upon in the memorandum of understanding and the expedited procedures of the Committee. It is encouraging that the interaction between the State Oil Marketing Organization, the oil overseers, the oil inspection agents, and the Committee has thus far been businesslike and cooperative.

41. As indicated in paragraph 11 above, Iraq has expressed its intention to repair the Kirkuk-Yumurtalik pipeline metering systems. I hope that by early December Saybolt will be able to certify that the metering systems are up to acceptable standards, following which the 14 oil inspection agents

will be deployed in Mina al-Bakr, Zakho and Ceyhan. In the meantime, the Lloyd's advance team will have completed its visit to Iraq, and arrangements will be made to dispatch an initial complement of goods inspection agents.

42. Preparations are under way within the Department of Humanitarian Affairs to send an advance team to Iraq for assessment of the Programme's requirements, including logistical and support arrangements, ahead of the arrival of additional international staff. Finalization of the observation and reporting mechanism is also under way, to make it possible to deploy observers on short notice. I trust that I can count on the Government of Iraq to make every effort to facilitate the work of the Programme as required by resolution 986 (1995) and the memorandum of understanding, including the expeditious issuance of visas, customs clearance of logistical equipment, such as vehicles and communications facilities, and provision of office space and accommodation.

43. In submitting this interim report, I have sought to bring the Security Council up to date on where matters now stand with respect to the implementation of resolution 986 (1995). I will submit to the Security Council as soon as possible the report requested of me in paragraph 13 of the resolution.

ANNEX I

Distribution plan submitted by the Government of Iraq to the Secretary-General of the United Nations in accordance with the memorandum of understanding of 20 May 1996

EXECUTIVE SUMMARY

1. The present Distribution Plan, referred to in paragraph 2 of the Memorandum of Understanding signed on 20 May 1996 between the Government of Iraq and the United Nations Secretariat (hereinafter "the MOU"), for the purchase and distribution of food, medicine, medical supplies and other essential civilian humanitarian supplies to help alleviate the hardship suffered by the Iraqi people, constitutes an important element in the implementation of the United Nations Security Council resolution 986 (1995), (hereinafter "the Resolution").

2. For the three northern Iraqi Governorates, namely Dihouk, Arbil and Suleimaniyeh, the procurement and distribution of humanitarian supplies will be the responsibility of the United Nations Inter-agency Humanitarian Programme (hereinafter "the Programme"), in accordance with paragraph 20 of the MOU and paragraphs 3 and 6 of its Annex I. In accordance with paragraph 2 of Annex I of the MOU, the humanitarian requirements of the three northern Governorates in the Distribution Plan, (herein after "the Plan") were identified by the Programme, taking into consideration all relevant circumstances in the three northern Governorates and in the rest of the country, in order to ensure equitable distribution. These requirements were discussed with the Government of Iraq and incorporated in the Plan.

3. It is expected that a grand total of US$1,320 million will be available to address the humanitarian requirements of the Iraqi people for a period of six months. Of this mount, the Plan allocates US$805* million for food distribution. The food distribution programme will ensure a daily energy intake of 2,030 kcal and 47 gm of protein per person/day. Subject, where applicable, to the provisions of the MOU relating to the three northern Governorates, food distribution will be implemented within the existing rationing practice. In spite of the large volume of food commodities envisaged to be imported, only limited funds are allocated for storage and distribution of food, and for maintenance and repair of food processing equipment. Furthermore, about US$65 million worth' of soap and detergents, included in the overall figure, will be purchased and distributed along with the food rations as per the current practice in Iraq. In Dihouk, Arbil and Suleimaniyeh, the Programme will assist vulnerable children and mothers through a nutrition project budgeted at US$5 million.

4. Medicine and medical supplies will receive a total allocation of US$210 million. Subject to the provisions of the MOU relating to the three northern Governorates, these items will reach the actual beneficiaries through hospitals and primary health care centers in Iraq using the existing distribution system. It should be noted, in this respect, that all Iraqi citizens and foreign residents have access to the said public health services. In addition to the provision of life-saving drugs and medical supplies, essential equipment of urgent need will be procured and some damaged health infrastructure will be rehabilitated in the three northern Governorates at an estimated cost of US$10.4 million.

5. The condition of clean water supply and sanitation services remains critical all over Iraq. It is estimated that the rehabilitation of this sector requires US$510 million. However, due to the shortage of resources, this Plan allocates only US$44.2 million for this sector. Of the total, US$20.2 million will be utilized for the rehabilitation of water and sanitation facilities in the three northern Governorates. Another US$8.4 million is earmarked for the repair of water and sewage facilities in Baghdad serving about 6.5 million people in the city and the surrounding districts. The balance of US$15.6 million will be used to repair water and sanitation facilities in the rest of the Governorates.

6. The rehabilitation of electric power generation, transmission and distribution, which requires approximately US$368 million, is clearly beyond the scope of the Plan. For humanitarian purposes, however, the current Plan allocates US$49.17 million to maintain and repair electric power stations at Baiji, Nassiriyah, Baghdad (south Baghdad and Daura), as well as Darbandikan and Dokan in Suleimaniyeh. Power transmission and distribution networks in the cities of Suleimaniyeh, Arbil and Dihouk will also be repaired.

7. A sum of US$44.15 million is allocated to address only the most urgent needs in the agriculture sector, in particular for plant protection, control of livestock diseases and provision of quality seeds for small farmers.

8. The education environment throughout Iraq is poor. This Plan makes a modest allocation of US$27.15 million to the education sector, of which US$15.15 is earmarked for the Governorates of Dihouk, Arbil and Suleimaniyeh. The allocation will be used to repair some of the damaged schools, provide basic stationery, desks, and other urgently needed school materials, especially for primary education.

9. Recognizing the special needs of the population in the three northern Governorates, a provision has ken made in the present Plan for activities regarding demining, resettlement and energy supplies at an estimated total cost of US$24.6 million. 10. The humanitarian requirements for the whole population of Iraq are enormous due to the cumulative deterioration of living and environmental conditions during the past six years. The humanitarian situation in Iraq will be reviewed in accordance with paragraphs 4 and 11 of the Resolution to determine the equitability of distribution, as well as the adequacy of resources available.

11. The Government of Iraq confirms its willingness to cooperate fully with the Programme, and to allow the Programme to observe, throughout the country, the equitable distribution of humanitarian supplies imported under this Plan. To this end, United Nations personnel working for the Programme shall have, in connection with the performance of their functions, unrestricted freedom of movement and access in accordance with paragraph 44 of the MOU.

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* Source unless stated otherwise is the Government of Iraq.

TABLE I

Estimated allocations to selected sectors covered within this Distribution Plan

Sector/Activity	*Estimated allocations* (countrywide)*	*Estimated allocations for Dihouk, Arbil, Suleimaniyeh*
	(Millions of United States dollars)	
Food	804.63	113.33
Soap/detergent	65.38	9.20
Equipment/spare parts for food processing, logistics	36.00	
Medicine/supplies	210.00	28.80
Nutrition	5.00	5.00
Health/repairs	10.40	10.40
Water and sanitation	44.20	20.201
Electricity	49.17	13.17
Agriculture	44.15	20.15
Education	27.15	15.15
Resettlement/relief to displaced persons (IDPs)	12.00	12.00
Mines-related activities	2.50	2.50
Energy	10.10	10.10
Total	1 320.68	260.00**

* The estimated allocations by sector constitute indicative figures to give an order of magnitude of intended use of resources. The actual amounts will depend on market prices at the time of procurement.

** This amount may be increased to US$300 million depending on further assessment of uncovered needs in northern Iraq, and on direct implementation costs to be incurred by UN agencies.

PART ONE

PROCUREMENT AND DISTRIBUTION PLAN FOR FOOD

Introduction

12. Following the UN Security Council Resolution 661 (1990) imposing sanctions on Iraq, the Government of Iraq established a special rationing system to ensure the distribution of foodstuffs to all Iraqi citizens, Arabs and foreigners residing in Iraq. The system was launched on 1 September 1990. It is presently applied throughout the country with the exception of the three northern Iraqi Governorates. In accordance with the MOU, the Programme will be responsible for the distribution of foodstuff to the population in the three northern Governorates on behalf of the Government of Iraq.

Main features of the system

13. The main partners of the current system are:

(i) The Ministry of Trade, Government of Iraq.

(ii) The Consumers (citizens of Iraq, Arabs and foreign residents).

(iii) Retail ration agents (private sector).

14. The responsibility of the Ministry of Trade is to undertake, on a monthly basis, the distribution of foodstuffs to the retail ration agents in their designated areas, and to ensure their delivery to the households registered with the concerned agent. There are more than 53.000 ration agents serving the local consumers. Furthermore, to ensure the adequacy, continuity and regularity of supplies of foodstuffs in conformity with the rationing cards, the related coupons are collected from the households monthly by the retail ration agents. Each rationing card has a number of coupons that correspond to basic food items involved in the system and covers one calendar year.

Annex 3/Food is a chart of the rationing card system currently in application for the distribution of foodstuffs.

15. Every Iraqi citizen, Arab and foreign resident in Iraq is entitled by law to obtain a "Rationing Card" from the Registration Centres. These centers establish lists of families by name, age and number of consumers in each household and send the lists to the computer center. The computer center sends one copy of each list to the nearest retail ration agent shop at the domicile of the concerned households, and another copy of the list to the food distribution centers.

16. The monthly individual ration under the current system is the same for each individual with regard to commodities, quantity and the related nominal fee. Households are well informed through public and private mass media, on a monthly basis, of their entitlements and on the time of distribution in various distribution centers.

17. The follow-up mechanism to ensure effective and proper implementation of the rationing system is done through:

(i) The concerned monitoring offices of the Ministry of Trade.

(ii) Elected District People's Councils, and

(iii) Citizens.

18. The beneficiaries of the system have the right to submit to the Ministry of Trade complaints against the retail ration agent in their designated areas if they discover that the agent is violating the relevant regulations. Accordingly, the Ministry of Trade circulates the enclosed questionnaire (Annex I/Food) among all households registered with the said agent. If the findings show that 51% of the participating households in the process condemn the agent, his agency licence will be cancelled and a new retail agent will be immediately appointed.

19. Documents are required to obtain a rationing card:

- Civil status identity card for Iraqis.
- Residence identity card and passport for non-Iraqis.
- Residence confirmation.

20. *Mechanisms for obtaining the rationing card*: The citizen approaches the rationing center in the area where the family lives, submitting the following:

- Civil status cards for Iraqis.
- Residence identity card and passport for non-Iraqis.
- Residence confirmation.

21. The family is directly issued with the rationing card.

22. Mechanisms for obtaining the rationing card for those who were not previously registered because of their return from abroad or not going to the rationing center in order to receive the rationing card:

- Calling at the rationing center in order to fill in a standard form relating to information about his family.
- Presenting the documents contained in the paragraph above.
- The application is checked and sent to the Ministry of Trade.
- The application together with the information contained in the standard form are checked with the documents presented in order to ensure the non-repetition of registration on the rationing card. Authority for the granting of the rationing card is issued by the headquarters of the Ministry of Trade with the object of controlling the registration centrally to ensure against double registration.

23. *Complaints*: The citizen can approach the following quarters in order to resolve a problem:

- The official in charge of the main Rationing Card Center in order to resolve his problem if he feels that his application is unduly delayed.
- The Ministry of Trade, if his problem is not resolved at the food supply center.
- Seeing the Minister of Trade if his problem is not resolved at the Ministry headquarters.
- Approaching an authority higher than the Ministry or writing to the local press.

Observation of Distribution

24. The role of the Programme in the context of the observation of the equitable distribution of humanitarian supplies and the determination of their adequacy under the Plan will be in accordance with paragraphs 37 and 38 of the MOU.

Distribution Plan of foodstuffs

25. The distribution of foodstuffs shall be undertaken by the competent Iraqi authorities. The present rationing system referred to in Part 1 of this document will be applied in distributing foodstuffs purchased with the proceeds of the sale of Iraqi petroleum and petroleum products.

26. In accordance with the MOU, the Programme identified the requirements in the three Iraqi northern Governorates, taking into consideration all relevant circumstances. These requirements were discussed with the Government of Iraq and incorporated in the Plan. The Programme has thus estimated such requirements covering a period of six months at 276,835 metric tons (MT) of foodstuffs and 10,513 MT of soaps and detergents for these Governorates, as well as 1,580 MT of food for 79,800 children under one year of age in a total population of 3 million beneficiaries.

27. The distribution of food in the three northern Governorates shall be undertaken by the Programme in accordance with paragraph 33 as well as Annex I of the MOU.

28. The Programme will distribute food in the three northern Governorates using local resources, including local administrative and other mechanisms. In this context, it is estimated that the Programme will use some 8,000 retail food agents.

Maintenance, repairs, rehabilitation and replacement of equipment required on a priority basis for the handling, storage, processing and distribution of food products.

29. The total quantity of food commodities alone to be brought in over the six-month period covered by the MOU is estimated at 2,216,622 metric tons, including 1.34 million metric tons of wheat grain which needs to be turned into wheat flour before distribution. The state of the existing infrastructure will not be able to cope with the processing, handling, storage and distribution of such a large quantity of food. A comprehensive list representing the priority items of equipment and spare parts that are needed for such an effort is contained in Annex 4/Food.

Purchase and storage arrangements

30. In order to implement the foregoing, the following will apply:

(i) Purchases of foodstuffs under the Plan will be carried out in accordance with the provisions of the MOU following normal commercial practice, and on the basis of procedures to be employed by the 661 Committee.

(ii) Upon approval of the Plan by the Secretary-General, the Programme and the Government of Iraq will hold discussions to enable the Programme to determine how the procurement of humanitarian supplies for the three northern Governorates can be undertaken most efficiently. These discussions will take into account the observations in paragraph 3 of Annex I of the MOU.

(iii) The Government of Iraq will contract directly with suppliers to arrange the purchase of supplies, and conclude the appropriate contractual arrangements. The procurement of humanitarian supplies for the three northern Governorates will be carried out in accordance with the relevant provisions of Annex I of the MOU.

(iv) All items purchased under the Plan will be transported to and stored in specially designated silos and warehouses. The Government of Iraq will keep the Programme informed of the locations of each such silo and warehouse.

(v) Imported grains (wheat and rice) will be delivered to grain silos and rice warehouses located throughout the country in accordance with the details contained in paragraph (iv) above.

(vi) Other food items will be delivered to special stores within the warehouse complexes in accordance with paragraph (v) above.

(vii) Retail ration agents shall receive the monthly food quota for the population residing within their designated areas upon presentation of ration coupons as explained in Part One above against payment of a standard nominal fee as a contribution towards internal transportation, handling and distribution.

Locations of the independent inspection agents

31. As provided for in paragraph 26 of the MOU, independent inspection agents may be stationed at the relevant Iraqi entry points, customs areas or other locations, as designated by the Secretary-General after consultations with the Government of Iraq, for the performance of their functions as set out in paragraph 27 of Section (V) of the MOU.

Warehouses

32. Specially designated warehouses will be allocated for foodstuffs imported by the Government of Iraq under the Plan. The sites of these warehouses will be within the main storage complexes of the Ministry of Trade located throughout the Governorates of Iraq.

33. In accordance with paragraph 5 of Annex I of the MOU, humanitarian supplies destined for distribution in the three northern Governorates shall be delivered by the Programme to warehouses within these Governorates. Warehouses in Mosul and Kirkuk to which supplies may also be delivered either by the Government of Iraq or the Programme shall be under the management of the Programme.

TABLE II

Iraqi population* by Governorates to be covered by the Distribution Plan

Governorate	*Population*	*Adults**	*Children under one*
Ninevah	1 957 203	1 909 276	47 927
Tameem	735 640	721 137	14 323
Baghdad	5 373 106	5 207 985	165 121
Salah Al-Din	819 867	795 122	24 745
Diala	1 048 805	1 032 977	15 828
Anbar	1 023 640	997 134	26 506
Babylon	1 144 547	1 122 559	21 988
Kerbala	603 257	588 713	14 544
Najaf	744 068	716 561	27 507
Qadisiya	726 595	708 789	17 806
Muthana	436 021	421 886	14 135
Basrah	1 581 956	1 541 729	40 227
Maysan	641 612	616 878	24 734
Thi-Qar	1 202 048	1 173 559	28 489
Wasit	758 767	742 647	16 120
Arbil	680 000**	680 000**	(*)*
Dohuk	1 020 000**	1 020 000**	(*)*
Suleimaniyah	1 300 000**	1 300 000**	(*)*
Total	**21 797 132**	**21 297 132**	**500 000**

* *Source*: GOI as well as data available to the UN in the three Governorates.

** This number, which includes children, was provisionally retained for humanitarian goods distribution purposes only and may be subject to adjustments on the basis of further field demographic surveys.

TABLE III

Categorized List of Foodstuffs

Current distribution of foodstuffs via ration card in the fifteen Governorates, as of January 1996

Item	*Monthly ration per capita (kg)*	*Total quantity per month (ton)**
Wheat flour	7.000	143 000
Rice	1.250	23 000
Sugar	0.500	9 200
Tea	0.100	1 900
Cooking oil	0.750	13 800
Infant milk powder**	1.800	500
Toilet soap	0.150	2 800
Detergents	0.250	4 600

Source: Ministry of Trade.

* Calculated on the basis of the actual number of population as of January 1996.

** Distributed only to children under one year of age.

TABLE IV

Proposed consolidated Plan and categorized list of foodstuffs soaps and detergents for distribution on a six-month basis

Item	*Monthly ration per capita (kg)*	*Monthly requirements* (tonnes)*	*Total needs for six months (tonnes)*	*Required value for six months** (US$)*
1. *Food*				
Wheat flour***	9.000	212 917	1 277 826	306 678 240
Rice	2.500	53 243	319 458	105 421 140
Sugar	2.000	42 594	255 564	115 003 800
Tea	0.150	3 194	19 164	32 291 340
Cooking oil	1.000	21 297	127 782	111 170 340
Milk powder	2.700	1 350	8 100	29 160 000
Pulses	1.000	21 297	127 782	1 022 225 600
Iodized salt	0.150	3 194	19 164	2 682 960
Subtotal				**804 633 420**
2. *Soaps and detergents*				
Soap	0.250	5 449	32 694	31 059 300
Detergents	0.350	7 628	45 768	34 326 000
Subtotal				**65 385 300**
Grand total				**870 018 720**

* Quantities calculated on the basis of population figures listed in the tables below less children under one year of age who receive infant milk rations.

** The indicate total value of the items include both external and internal transport costs and are subject to usual market conditions and fluctuations.

*** The imported item is wheat to be processed and distributed to the consumers as wheat flour, the conversion ratio being 10 Kg of wheat to 9 Kg wheat flour.

TABLE V

The nutritive value of the proposed Plan per beneficiary

Commodity	*Monthly ration kg/person/month*	*Daily ration gm/ person/day*	*Calories content Kcal/ person/day*	*Protein content gm/ person/day*
Wheat flour*	9.00	300	1 050	34
Rice	2.50	83	300	6
Sugar	2.00	67	267	0
Tea	0,15	5	0	0
Cooking oil	1.00	33	300	0
Pulses	1.00	33	113	7
Iodized salt	0.15	5	0	0
Total	**15.80**	**526**	**2 030**	**47**
Milk powder*		2.70		425

* For infants below one year.

PART TWO

PROCUREMENT AND DISTRIBUTION PLAN FOR MEDICINE AND MEDICAL SUPPLIES

Introduction

34. In formulating its health policy, the Government of Iraq has followed the guidelines of the World Health Organization action programme on essential medicine.

- To make effective, safe and low cost medicine available and affordable to meet the needs of the entire population of Iraq.
- To ensure that medicines are of good quality and rationally used.

35. The Plan is formulated to meet the actual. need for medicine, vaccines, medical supplies, equipment, insecticides, spare parts and other essential items within the framework of these policy objectives to ensure equitable distribution. Because of the current situation, the health facilities in Table VI below are faced with a severe shortage of these critically needed items and supplies. This health situation is seriously aggravated by the poor environmental quality, malnutrition and difficult socio-economic conditions.

36. Before August 1990, the health care system in Iraq was based on an extensive and developed network of primary, secondary and tertiary health care facilities. These facilities were linked among themselves and with the community by a large fleet of ambulances and service vehicles, and by a good communication network facilitating referral to the next level health care system.

37. It was estimated by the Government of Iraq that 97% and 78% of the urban and rural populations, respectively, had access to health care. Table I gives the distribution of the health infrastructure throughout the country. While the system tended to emphasize curative aspects, it was complemented by a set of public health activities that included malaria control, an expanded programme of immunizations, tuberculosis-control activities, etc.

38. Presently, there is an urgent need in Iraq for medical equipment and supplies, including essential drugs, as well as for medical supplies and chemicals used in the control of insect-borne diseases that are endemic in Iraq. Supplies, such as X-ray machines, CAT scans, laboratory equipment, are in need of repair. It is estimated that only one quarter of the medical equipment available in health care facilities is still operational.

39. Regarding drugs and medical supplies, the situation is alarming. Patients are, at best, offered doses lower than what would normally be required by their health conditions. The production of the local pharmaceutical industry has come to a stand-still. In 1989, the Ministry of Health (MOH) spent over US$500 million for the purchase of drugs and medical supplies.

TABLE VI

Health Infrastructure in Iraq* 1996

Governorates	*Number of hospitals*	*Number of health centres*
Baghdad	34	137
Basrah	10	69
Nineveh	12	114
Maysan	8	23
Qadisiya	6	45
Diala	8	58
Anbar	10	108
Babylon	8	76
Kerbala	5	22
Tameen	5	53
Wasit	5	32
Thi-Qar	7	63
Muthana	4	22
Salah Al-Din	6	64
Najaf	5	18
Dihouk	5	69
Arbil	10	96
Suleimaniyeh	14	216
Total	**162**	**1 285***

* All Iraq citizens and foreign residents have access to the existing health infrastructure mentioned in this table.

40. It is imperative that the Plan should ensure the provision of good quality drugs at low cost that are affordable in meeting the needs of the entire population of Iraq. Vaccines, medical and surgical supplies, and dental and diagnostic equipment are other categories that require attention. The provision of insecticides, vector control equipment and the re-equipping or replacement of the fleet of ambulances for the transport of patients and medical supplies, and for ensuring liaison within the health network, is another priority that requires the urgent attention within the Plan. It should be stressed that the public health sector cannot be improved by the provision of medicine and medical supplies only. The provision of spare parts for the rehabilitation of hospital equipment and the supply of ambulances constitutes an essential and urgent requirement if the public health services are to be more effective in meeting some of the most urgent demands on public health care.

41. The health situation in the three Iraqi northern Governorates has continued to deteriorate over the past six years. Only 10% of more than 381 primary health care centres in the region are currently able to provide maternity/child health care services. There is a marked reduction in the availability of drugs and medical supplies. A similar shortage of essential equipment for diagnostic and curative purposes exists. Thus, the main components of the health plan for these Governorates include provision for basic essential drugs and the repair and maintenance of health infrastructures; spare parts for non-functioning hospital equipment are also included in the Plan, which allocates US$28.80 million for medicines and medical supplies and US$10.10 million for health infrastructure. Additionally, US$0.34 million are set aside for epidemiological surveillance.

Health Facilities in the three northern Governorates as of 31 May 1996

Governorate	*Hospitals*	*Health Centres*	*Total*
Dihouk	5	69	74
Arbil	10	96	106
Suleimaniyeh	14	216	230
Total	**29**	**381**	**410**

42. In accordance with the MOU, the Programme will be responsible in the three northern Governorates for the distribution of medical and health supplies. The Programme has ensured that its identification of needs in the health sector meets the essential requirements of these Governorates.

Components of the Plan

43. The components of the Plan are identified below:

(*a*) *Estimation of the needs*: In estimating the needs for medicine and medical supplies, the following criteria are taken into consideration;

(i) Population per Governorate.

(ii) Seasonal variation of diseases, such as measles in winter and diarrhoea in summer.

(iii) Disease prevalence.

(iv) Health indicators; vaccination coverage, morbidity, mortality, prevalence of non-communicable diseases such as cardiovascular diseases, cancer, diabetes, liver and renal diseases.

(v) Incidents of infectious diseases; such as malaria in the north and bilharzia in the south.

(vi) Environmental health conditions; drinking water quality, sanitation, sewage, solid waste disposal, air pollution, etc.

(*b*) *Procedures for regulation and criteria for importation*:

(i) The drugs should be adopted by National Drugs Selection Committee.

(ii) The drugs have to be registered by Minister of Health-Department of Pharmacy through the Medicine Registration Committee, according to international requirements and standards.

(iii) The drugs should be from dependable manufacturers.

(iv) The imported drugs should be from fresh batches.

(v) The drugs should be transported in a good manner according to the drugs' specifications.

(vi) The drugs and pharmaceutical materials are imported in several regular shipments according to expiration date, shelf life and needs.

(vii) No drugs shall be released for use prior to the issuance of a national quality control certificate. On average, the necessary control takes about 10-15 days.

(viii) With regard to the three northern Governorates, the Programme will ensure that the required drugs meet the relevant standards.

(*c*) *Storage*: The medicine and medical supplies that meet the required standard will then be stored in distribution warehouses located in different Governorates throughout Iraq as follows:

(i) Warehouses No. 1, 2, 3, 4, 5, 6, 7 and 13 in Baghdad (for distributing medicine to health institutions in Baghdad, Anbar, Wasit and Diyala Governorates),

(ii) Warehouse No. 8 in Basrah (for distributing medicine to health institutions in Basrah, Thi-Qar and Misan Governorates),

(iii) Warehouse No. 9 in Mosul (for distributing medicine to health institutions in Ninevah and Dihouk Governorates),

(iv) Warehouse No. 10 in Kirkuk (for distributing medicine to health institutions in Ta'mim and Salah Al-Din Governorates),

(v) Warehouse No. 11 in Arbil (for distributing medicine to health institutions in Arbil and Suleimaniyeh Governorates), and warehouse No. 12 in Hilla (for distributing medicine to health institutions in Babil, Kerbala, Najaf, Qadisia and Muthana Governorates).

(vi) All the warehouses mentioned above have enough storage capacity, are controlled by an efficient system according to international standards and have efficient expert manpower.

(vii) With regard to medicine and medical supplies for the three northern Governorates, these will be delivered by the Programme to appropriate locations within these Governorates. Warehouses in Mosul and Kirkuk to which medical supplies may be delivered either by the Government of Iraq or by the Programme will be managed by the Programme in accordance with paragraph 5 of Annex I of the MOU.

(*d*) *Medicine supply policy in emergency situations*

In emergency situations, such as outbreaks or epidemics, the affected Governorate will receive extra amounts of the required supplies according to the health situation.

(*e*) *Distribution system of medicine and medical supplies*

(i) The MOH has adopted a system in accordance with WHO standards as follows:

a. The medicine is supplied to the patients through the Primary Health Care Centres and the hospitals in all Governorates.

b. The MOH has adopted a distribution system (Medical Card) as shown in Annex I/Health for patients with chronic diseases who need medicine continuously on a monthly basis. This system provides the patients with medicine according to their needs through the Popular Clinics/MOH.

(ii) With regard to the three northern Governorates of Arbil, Dihouk and Suleimaniyeh, the Programme determines the procedure of estimating the needs, storage and distribution.

44. The list of first priority stated in the attached Annex II/Health for the whole country is urgently needed for the first three months. It includes the list of life-saving and essential medicines along with the requirement of vaccines and sera for protecting children and eligible groups of the community against infectious diseases according to the preventive medicine plan. These vaccines and sera are to be kept in special warehouses according to WHO recommendations and should be dispatched and delivered regularly; it is most desirable that they are shipped by air. The first priority also includes medical supplies to overcome the severe shortage of supplies for surgical operations and medical interventions (cat-guts, silk, disposable syringes, X-ray films, I.V. sets, blood bags, etc.). The list also includes the requirements of reagents for the diagnosis of diseases, insecticides and pesticides required for the control of endemic diseases such as malaria and bilharzia, the spare parts required to maintain medical equipment and elector-mechanical services and facilities in health institutions, and 100 ambulances to provide emergency medical care. The ambulances will be assigned to hospitals and health centres on the basis of one ambulance per 200,000 population as per details given in Table VIII/Health below.

45. The sum of US$300 million is required to meet the total need for medicine and medical supplies throughout Iraq, during a six-month period. Under the present Plan, however, US$210 million have been allocated to meet only the urgent requirements and needs. To achieve an equitable distribution of medical supplies, the allocated funds will be distributed among Governorates on the basis of US$11.6 million per million persons, per month.

46. In accordance with paragraph 39 of the MOU, the Government of Iraq shall provide detailed information to the Programme regarding the delivery of supplies and equipment to specific destinations in order to facilitate observation and confirmation of their utilization. The Programme will also perform the functions provided for in paragraph 8 of Annex I of the MOU.

Table VII

Health: Distribution of Ambulances

Governorate	*Number of ambulances*
Nineveh	7
Tameem.	3
Baghdad	30
Salah Al-Din	4
Diala	4
Anbar	5
Babylon	4
Kerbala	3
Najaf	3
Qadisiya	3
Muthana	3
Basrah	8
Maysan	4
Thi-Qar	4
Wasit	3
Dihouk	3
Arbil	4
Suleimaniyeh	5
Total	**100**

PART THREE

Procurement Plan for Water and Sewage

47. In view of the importance of potable water and sanitation for public health, the Government of Iraq has adopted a long-term programme to provide these services according to international scientific standards per capita. However, the implementation of this policy has been severely hampered by the lack of resources and equipment and the consequent disruption of services over the last six years. It is estimated that the rehabilitation of the existing facilities would require about US$510 million. This does not take into account the need to develop new water projects and facilities to meet the needs of the growing population. In order to address only the most urgent humanitarian needs in this sector, the Plan allocates a total of US$44.2 million, of which US$24 million is allocated for Baghdad and the 14 other Governorates and US$20.2 million for the three Northern Governorates.

48. The production of drinking water in the 14 Governorates amounts to 1400 million cubic metres per year. The design production of Baghdad amounts to 850 million cubic meters per year. However, the estimated efficiency of the existing facilities does not currently exceed 40% of their design capacity. The percentage of waste is estimated at more than 40% of the actually produced water. This shows the extent of the great paucity of potable water. The only help in these fields was the very small assistance rendered by humanitarian organizations over the last six years.

49. As regards sanitation, the design capacity for the 14 Governorates, except Baghdad, amounts to 153 million cubic meters per year, and the design capacity for Baghdad amounts to 680 million cubic meters per year. In addition, there are 256 pumping stations comprising more than 1,000 vertical and submerged pumps. Although the system requires complete renovation, the present Plan seeks to provide only the minimum requirements for maintaining and operating the system during the next six months. As per details given in the annexes, the estimated cost of minimum repairs amounts to about US$4 million per month including the sum of US$2.6 million per month for the 14 Governorates and about US$1.4 million per month for Baghdad which services the capital and the surrounding districts.

50. The status of the water and sanitation sector in the three northern Governorates remains critical as the water treatment plants are operating at about 60% of pre-1991 levels. Humanitarian assistance has helped only in preventing a total collapse of this sector and maintaining water supply services at minimum levels. Inputs from the Humanitarian Programme have assisted in averting outbreaks of major water-borne diseases and stopping a further deterioration in the quality of water.

51. In order to improve the water and sanitation services in the three northern Governorates, this Plan foresees the provision of equipment and supplies valued at about US$20.2 million.

52. Spare parts and equipment urgently required are described in the attached Annexes numbered 1-8/Water/Sanitation.

53. In accordance with paragraph 40 of the MOU, the Government of Iraq shall provide detailed information to the Programme regarding the delivery of supplies and equipment to specific destinations in order to facilitate observation and confirmation of their utilization. The Programme will also perform the functions provided for in paragraph 8 of Annex I of the MOU.

PART FOUR

PROCUREMENT PLAN FOR ELECTRICAL POWER

Introduction

54. The inadequacy of electricity due to the damage suffered by this vital sector and non-availability of spare parts and equipment has been a major problem in the whole country.

55. The shortage of electricity has resulted in a daily load shedding programme throughout Iraq, from Dihouk in the north to Basra in the south, which reached 850 MW in the month of January 1996. It is expected that the load shedding may reach 1200 MW in the summer of 1996. Annex 1 Electricity is a chart showing the installed capacity, the maximum available capacity, the peak load and the generation shortage during January 1996. Furthermore, due to the sudden breakdowns of some of the large generating units, the under frequency relays operate to save the system from total shutdown causing severe power cuts to all types of consumers, including hospitals, water plants, sewage plants, wheat milling plants, irrigation and pumping stations, schools and universities, in addition to complete residential areas and other services. It is estimated that the rehabilitation of the electricity sector requires about US$368 million. The purpose of this section is to address the minimum requirements in this sector in order to meet the essential humanitarian needs of all segments of the Iraqi population. To achieve this goal, the Plan allocates a total of US$49.17 million, of which US$36 million is allocated for Baghdad and the 14 other Governorates, and US$13.17 million for the three northern Governorates.

Basic Requirements

56. Basic needs to restore the electrical power requirements of a civilian nature are identified within the Plan and an allocation of US$36 million has been made for 15 Governorates as per details in the attached Annexes numbered 2-6/Electricity.

57. Annexes 2/Electricity and 4/Electricity show the total amounts needed to maintain and rehabilitate the existing electrical power system. The total sum of the two Annexes amounts to US$368 million. This amount would enable the complete rehabilitation of the system and make available the necessary reserve (both hot and cold) which is normally required in electrical power systems all over the world, as well as to increase the reliability and dependability of the power system for humanitarian use, particularly for hospitals, water treatment plants, sewage plants, irrigation, and wheat milling plants, as well as to provide reliable electricity for dwellings, schools, institutes and universities.

58. However, due to the extreme shortage of funds for the supplies of essential civilian needs, the maintenance and essential repairs under this Plan will only include thermal power stations in the central and southern regions as well as the repair of some of the transmission and distribution networks in various parts of Iraq. The amounts required for this rehabilitation are shown in Annex 2/Electricity, totalling a sum of US$36 million.

59. Annex 3/Electricity includes a categorized list of the spare parts for the four thermal power stations—Baiji, Nassiriya, Baghdad [south Baghdad and Daura], and the transmission and distribution networks.

60. Annex 5/Electricity includes a list of spare parts for the other power stations for which no funding has been provided in the Plan. The purchase of these spare parts will result in raising the dependable capacity of the system to about 7000 MW and thereby providing a reserve capacity of about 25% of the expected demand to cover sudden outages in accordance with international practice.

61. Shortage of electricity has been a major problem in the three northern Governorates due, inter alia, to the nonavailability of power supplies from the national grid starting in September 1992. Lack of conductors, transformers, circuit breakers at substations and spare parts for distribution of electricity in Suleimaniyeh and Arbil have posed further problems. Another major cause has been the low water levels at the Dokan and Darbandikan hydro power stations which provide Suleimaniyeh and Arbil Governorates with electricity.

62. Annex 6/Electricity show the urgent needs reported by the Programme for Dihouk, Arbil and Suleimaniyeh.

63. To this end, a sum of US$13.17 million has been allocated for the three northern Governorates for projects in this sector, which will be implemented by the Programme.

64. In accordance with paragraph 41 of the MOU, the Government of Iraq shall provide detailed information to the Programme regarding the delivery of supplies and equipment to specific locations to facilitate observation and confirmation of their utilization. The Programme will also perform the functions provided for in paragraph 8 of Annex I of the MOU.

PART FIVE

PROCUREMENT AND DISTRIBUTION PLAN FOR AGRICULTURE

Introduction

65. Local food production and productivity have drastically deteriorated during the last years as a result of the adoption of horizontal expansion because of the absence of basic inputs needed for the vertical expansion. Consequently, plant pests and diseases were widespread. This has been compounded by the shortage of pesticides, herbicides and a number of operating spraying helicopters. Similar deterioration has been manifested in the field of animal production due to the shortage in animal vaccines, drugs and veterinary treatment and diagnostic instruments.

66. The Government of Iraq is paying the utmost attention to the agriculture sector in order to raise the level of food production, as under prevailing conditions the country has to rely heavily on domestic production to meet local demands. However, despite measures taken by the government and various UN agencies, mainly FAO, to boost production in the agriculture sector, the output remains seriously constrained as a result of the inadequate supply of essential inputs.

67. The agriculture sector needs to undertake several aerial and ground campaigns to control main crop pests on cereals, date palms, cotton, sunflower and vegetables. The reduction in pest infestations can play a major role by increasing food production and to decrease losses caused by pests.

68. In the animal production sector most of the diseases have been reported during the sanction years characterized by the shortage of basic medicines and vaccines as well as veterinary equipment. This has dramatically reduced the capacity of veterinary services to combat and control the outbreak of diseases.

69. In addition, all agricultural sectors in Iraq are highly mechanized; however, large numbers of machinery are either out of operation or are operating inefficiently due to lack of spare parts. This has negatively affected crop production and soil preparation. The result has been increasing harvest losses as well as a reduction of irrigated areas.

Basic Strategy and Requirements

70. The basic strategy of the present Plan is to maintain the current level of agricultural production through securing the plant, animal protection and preventive requirements. Priority needs such as pesticides, herbicides, aerial spraying and veterinary requirements are considered, but not fully addressed in view of limited funds. The proposed requirements correspond to the minimum requirements to respond to the needs of small farmers throughout the country in order to prevent further deterioration leading to the collapse of the sector.

71. For this purpose, the Plan provides US$44.15 million for the agriculture sector. Out of this amount, US$20.15 million is allocated for the three northern Governorates of Dihouk, Arbil, and Suleimaniyeh, and US$24 million for the remaining Governorates of Iraq. The principal components of the Plan are pesticides and spraying equipment, agricultural machinery, irrigation pumps and spare parts as well as veterinary supplies.

(*a*) Pesticides and spraying equipment: Pesticide requirements have been estimated on the basis of the level of infestation of major plant pests which constitute a real threat to the cereals, vegetables, orchards, date palm and bee production. Special emphasis has been put on those diseases and pests which are of epidemic nature.

Spare parts for spraying helicopters and ground spraying equipment have been estimated on the basis of the minimum requirement for carrying out plant protection interventions at 25% of its original operational capacity. See Annex I/Agriculture.

(*b*) Agricultural machinery, irrigation pumps and spare parts: A significant number of agricultural machines remain non-operational. Those machines that work operate inefficiently. Such machinery includes tractors, combine harvesters and irrigation pumps. Based on data available at agricultural departments in each of the 15 Governorates, a list of minimum needed spare parts has been developed. The number of requested new machinery and pumps represents 25% of the actual urgent need in regard to the irrigation pumps, while the requested number of tractors represents less than 3.5% of the actual need for heavy tractors. See Annex II/Agriculture.

(*c*) Veterinary supplies: This includes veterinary vaccines, drugs for treatment and diagnostic equipment. The need has been estimated on the basis of the number of animals, level of prevalence of zoonotic and epidemic diseases, prevalence of internal and external parasites and the deterioration of veterinary services. See Annex III/Agriculture.

72. In each of the three sectors identified above, the following paragraphs explain the methodology utilized for estimating Governorates' needs and allocation.

(*a*) Aerial spraying and ground spraying requirements: Aerial spraying services are available for the 15 Governorates. Depending on the seasonal requirement as well as crop locations, the aerial activities are scheduled as follows: during the winter cropping season, the northern and central Governorates receive a number of spraying devices for weed control and sum-pest control, while in the southern parts of the country, aerial spraying services are rendered to the farmers for the control of date, palm and sugar cane during the summer. Also in the central and southern Governorates, control of rice and maize pest and diseases are carried out by aerial spraying.

Ground spraying equipment will be distributed on the basis of available agricultural and orchard land in each Governorate and it will be at the disposal of small farmers. See Annex IV/Agriculture.

Bee-keeping inputs will be distributed in accordance with the existing level of such activities as well as developing bee-keeping activities in favour of small farmers.

(*b*) Agricultural machinery and equipment: The Ministry, through its various departments in the Governorates, has lists of tractors and combine harvester owners in each of the 15 Governorates. The State Agricultural Supplies Company has branches in all the 15 Governorates and used to supply the needed spare parts based on special criteria which take into consideration the actual number of non-operating, inefficient and operating equipment, total agricultural areas, and status of previous supply. Based on this information, the Ministry allocated a share for each Governorate. Irrigation pumps will be distributed to a large extent in the southern Governorates where there is great need for them. A reasonable number will also be distributed in the central Governorates. See Annex V/Agriculture.

(*c*) Veterinary supplies: The veterinary supplies will be allocated to the 15 Governorates on the basis of animal population and operating poultry facilities. See Annex VI/Agriculture.

73. Procurement procedures (regulation and criteria for distribution): Procurement of agricultural machinery, ground spraying equipment, bee-keeping supplies, veterinary drugs and equipment will be purchased through the government procedures in accordance with the MOU. Spare parts for spraying helicopters, some of the pesticides, herbicides and animal vaccines may be purchased by FAO and kept under its supervision as required by the 661 Committee in previous years.

74. Distribution and storage: The Ministry of Agriculture and its departments as well as the Agricultural Supplies Company possess a network of central warehouses in Baghdad and warehouses in all the 15 Governorates. The inputs will be received at the central warehouses and after that be allocated to the Governorate warehouses.

At the district and sub-district level, the inputs will be stored and distributed through the agricultural administration unit available in all the 15 Governorates.

75. As regards the three northern Governorates, Dihouk, Arbil and Suleimaniyeh, the requirements for agricultural equipment and machines are to cover 3.2 million hectares of arable lands. The local estimates point out that the area cultivated with wheat has been increased From 474,000 hectares to 563,000 hectares for the years 1993 and 1995 respectively. As a result of growing demand for food commodities, an increase in the areas cultivated with food crops has been noticed during the last three years.

76. The procurement and distribution of agricultural equipment and supplies for Dihouk, Arbil and Suleimaniyeh will be carried out by the Programme in accordance with the MOU. The Plan aims at providing the most essential requirements for farmers, taking into account resource constraints as well as the availability of food. Accordingly, seven projects for (*a*) plant protection, (*b*) veterinary services, (*c*) provision of spare parts, (*d*) provision of agricultural equipment, (*e*) supply of seeds, (*f*) backyard poultry production and (*g*) irrigation pumps are included in the Plan for a total cost of US$20.15 million as explained in the table below:

Agriculture: A Summary

Project title	*Requirement in USD*
Provision of Agrochemicals	10,529,150
Veterinary Services	1,039,000
Provision of Quality Vegetable and Seeds	2,316,000
Agricultural Equipment	1,746,655
Backyard Poultry	997,115
Provision of Irrigation Pumps	963,900
Spare Parts for Agricultural Equipment	1,121,560
Direct Implementation and Evaluation Costs	1,436,620
Total	**20,150,000**

77. Details on areas to receive plant protection materials vaccines and equipment for the 15 Governorates are given in Annexes VI-VI/Agriculture. Details regarding Dihouk, Arbil and Suleimaniyeh are shown in Annex VII/Agriculture (which includes Annexes 1-12).

78. In accordance with paragraph 41 of the MOU, the Government of Iraq shall provide detailed information to the Programme regarding the delivery of supplies and equipment to specific destinations in order to facilitate observation and confirmation of their utilization. The Programme will also perform the functions provided for in paragraph 8 of Annex I of the MOU.

PART SIX

Procurement and Distribution Plan for Education

79. The primary, secondary and tertiary levels of education in Iraq have been fleeted by severe shortages of the most basic teaching materials, school furniture, textbooks, stationery and other basic requirements needed in the education sector. The magnitude of requirements in the education sector is illustrated by the size of the student population estimated at a total of 4.8 million in approximately 14,000 kindergartens, primary, intermediate and secondary schools as well as vocational schools. Damaged classrooms remained unrepaired, and in many instances classrooms have no doors and windows. A large number of schools remain without a clean water supply and sanitation facilities. Many pupils and students can not be accommodated in classrooms where chairs and benches are often unavailable.

80. The prevailing situation has resulted in a decreased rate of school enrolment and a substantial increase in the rate of school dropouts, especially at the primary and secondary levels. Lack of basic teaching aids and materials has also affected the quality of education in the country. While the overall requirements for the immediate basic needs in the education sector throughout the country are estimated at $130 million, excluding higher education, the present Plan allocates only $27.15 million for the basic educational needs up to the secondary level.

81. The present Plan has allocated US$12 million to this sector for a period of six months. The priority will be for the primary and basic educational needs.

82. While it is acknowledged that primary education should, and does, receive higher attention from the government, higher education at secondary and university levels cannot be neglected without creating long term shortages of qualified manpower which is vital for the country. For this reason, the government strongly believes that education materials, not available in the country, such as reference books, laboratory equipment and supplies, need to be supplied within this Plan. However, because of limited funds, these items are not covered in the present Plan. It should be noted in this regard that, in preparing the list of requirements, higher emphasis was placed on education items for health-related education with a view to improving the training of health personnel which is essential for public health care.

The list of basic requirements is organized in Annexes as follows:

Annex I/Education includes a table indicating the number of schools and pupil/students up to the secondary level and vocational institutes, and list of priority projects that can be covered with funds available under this Plan.

83. The educational infrastructure in the three northern Governorates has suffered extensive damage. In addition, there is a severe shortage of basic educational material including books. During the past five years, the number of school dropouts has increased sharply as families have little or no capacity to purchase school supplies. The Plan intends to use US$15.15 million for 37,000 desks, urgently needed textbooks and repair of 100 severely damaged schools in the northern Governorates of Dihouk, Arbil and Suleimaniyeh. The education programme in these Governorates focuses on assistance to 530,000 primary school children.

Annex 2/Education lists the priority requirements, mainly for primary education, in the three Governorates of Dihouk, Arbil and Suleimaniyeh.

84. In accordance with paragraph 41 of the MOU, the Government of Iraq shall provide detailed information to the Programme regarding the delivery of supplies and equipment to specific destinations in order to facilitate observation and confirmation of their utilization. The Programme will also perform the functions provided for in paragraph 8 of Annex I of the MOU.

ANNEX II

Letter dated 18 July 1996 from the Under-Secretary-General and Special Adviser to the Secretary-General addressed to the Head of the delegation of Iraq

On behalf of the Secretary-General, I wish to acknowledge receipt of the distribution plan and would like to inform you that I have been authorized by the Secretary-General to convey in this respect the following.

Security Council resolution 986 (1995) requires that Iraq shall guarantee, on the basis of a plan submitted and approved by the Secretary-General, equitable distribution of medicine, health supplies, foodstuffs and materials and supplies for essential civilian needs (humanitarian supplies) exported to Iraq under the conditions defined by that resolution. The memorandum of understanding concluded on 20 May 1996 between the United Nations Secretariat and the Government of Iraq for the implementation of that resolution provides that the Government of Iraq shall prepare a distribution plan describing in detail the procedures to be followed by the competent Iraqi authorities with a view to ensuring equitable distribution of humanitarian supplies and submit that plan to the Secretary-General for approval. The memorandum states in this regard that if the Secretary-General is satisfied that the plan adequately ensures equitable distribution of humanitarian supplies to the Iraqi population throughout the country, he will so inform the Government of Iraq.

I have the honour to inform the Government of Iraq through you that, having examined the distribution plan as finally submitted by you on 15 July 1996, the Secretary-General has come to the conclusion that the plan, if properly implemented, should meet the requirement of equitable distribution of humanitarian goods to the Iraqi population throughout the country. The distribution plan is, therefore, approved with the following remarks.

The approval of the distribution plan is subject to the condition that its implementation is governed by the relevant provisions of Security Council resolution 986 (1995) and the memorandum of understanding, and that, in case of inconsistency between the particular provisions of the plan (on the one hand) and the resolution and the memorandum of understanding (on the other), the provisions of the two latter documents shall prevail.

The approval of the distribution plan is also without prejudice to the procedures to be employed by the Security Council Committee established by resolution 661 (1990) concerning export to Iraq of humanitarian supplies and parts and equipment that are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq.

The distribution plan includes a categorized list of supplies and goods to be purchased and imported under the plan. The approval of the plan is without prejudice to actions that might be taken by the Committee established by resolution 661 (1990) regarding applications for export of particular items contained on the list submitted for the Committee's consideration in accordance with its procedures.

Likewise the categorized list contains certain items the export of which to Iraq must be notified to the joint unit established by Security Council resolution 1051 (1996) as these items will be subject to monitoring because of their possible dual use for civilian or for prohibited purposes under Security Council resolution 687 (1991) and other relevant resolutions.

(*Signed*) Chinmaya R. GHAREKHAN
Under-Secretary-General
Senior Adviser to the Secretary-General

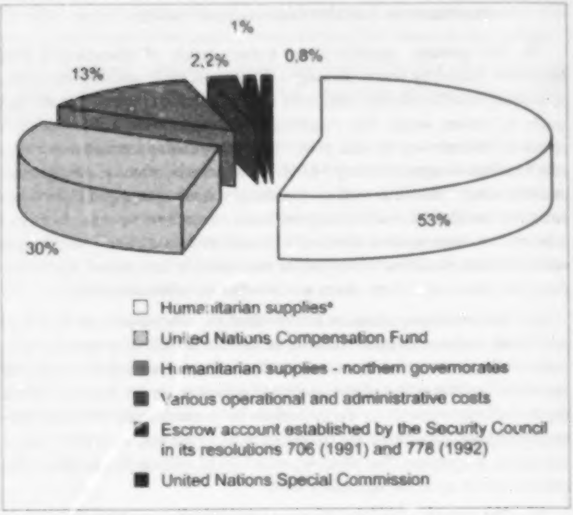
Annex III

A. *Dollar allocation from oil proceeds*

	(Millions of United States dollars)
Humanitarian supplies[a]	1 060.7
Humanitarian supplies-northern governorates	260.0
United Nations Compensation Fund	600.0
Various operational and administrative costs	44.3
United Nations Special Commission	15.0
Escrow account established by the Security Council in its resolutions 706 (1991) and 778 (1992)	20.0
Total	**2 000.0**

[a] Will include amounts related to paragraph 8 (*f*) of Security Council resolution 986 (1995) approved by the Committee established by resolution 661 (1990).

B. *Percentage allocation from oil proceeds*



[a] Will include amounts related to paragraph 8 (*f*) of Security Council resolution 986 (1995) approved by the Committee established by resolution 661 (1990).

DOCUMENT S/1996/983

Letter dated 27 November 1996 from the representative of the former Yugoslav Republic of Macedonia to the Secretary-General

[*Original: English*]
[*27 November 1996*]

I have the honour to forward a letter from Mr. Ljubomir Frckovski, Minister for Foreign Affairs of the Republic of Macedonia, regarding the request for the extension of the mandate of the United Nations Preventive Deployment Force (UNPREDEP) in Macedonia after 30 November 1996.

I also have the honour to request that the present letter and its annex be circulated as a document of the Security Council.

(*Signed*) Denko MALESKI
Ambassador

ANNEX

Letter dated 18 November 1996 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia to the Secretary-General

I believe that there is a need to address you once again regarding the extension of the mandate of the United Nations Preventive Deployment Force (UNPREDEP) in the Republic of Macedonia after 30 November 1996.

I would first like to express my deep appreciation for the contents of your report to the Security Council of 30 September 1996 [*S/1996/819*] recommending extension of the mission's presence and elaborating the arguments in favour of so doing. We highly appreciate your recommendation, made on the basis of the professional observations of the Special Representative and the Force Commander, that any reduction in troops would have a negative impact on the implementation of the mandate and weaken the capacity of the international community to assess and respond to potential threats to the Republic of Macedonia. Aware of the financial difficulties of the United Nations and of the need to re-examine all United Nations peace operations, including UNPREDEP, we support all activities of the Security Council for permanent evaluation of the status of all missions.

However, I am convinced that you share my opinion that, unfortunately, since my last letter to you of 6 August 1996, the situation in the region has not changed to an extent that would allow changes in the future of UNPREDEP, either its reduction or termination.

As I already mentioned in my previous letter, the key reasons for further presence of UNPREDEP in the country are understandable, firstly, because of the sensitive and complex situation in Bosnia and Herzegovina in the period of implementation of the Dayton Peace Accord and the future developments reflecting the outcomes of the London Conference; secondly, because of the country's inability to upgrade its own defence capabilities to a satisfactory level in a short period of time; and, thirdly, because of the forthcoming demarcation of the State border with our northern neighbour, the Federal Republic of Yugoslavia.

Here I would like to draw your attention in particular to the issue of the complexity of the situation in Kosovo, which we consider to be a potential source of inter-ethnic tensions in the region. Regardless of various predictions and strivings as regards the timing of the resolution of this issue, it is undoubtedly clear that, in the case of an undesired negative development in the situation, the UNPREDEP peacekeeping force will play an essential role in preventing the spill-over and the spread of tension on the territory of the Republic of Macedonia.

During his recent visit to the Republic of Macedonia, coordinated with the Secretariat, the Permanent Representative of the Russian Federation to the United Nations, Sergey Lavrov, expressed his high consideration for the organization and functioning of the UNPREDEP structures.

The forthcoming months will be crucial for consolidation of the peace process to be accomplished in the region. Any decision on reduction and withdrawal of the military staff and equipment in winter conditions would complicate its implementation and would result in minimal savings from a financial point of view. Furthermore, we consider that such a decision would impair the stability of the country and the region, giving a "wrong signal".

I am convinced that your recommendations to the Security Council regarding the future of UNPREDEP, including the evaluation of the general situation in the region and the potential threats that continue to endanger the peace and stability of the Republic of Macedonia, would be a sound basis for an appropriate reaction by the members of the Security Council as they consider the issues of extending the mandate and of the strength and composition of the UNPREDEP mission.

We would highly appreciate it if the present letter could be made available to the members of the Security Council.

(*Signed*) Ljubomir D. Frckovski

DOCUMENT S/1996/988*

Report of the Secretary-General

[*Original: English*]
[*26 November 1996*]

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of General Assembly resolution 50/88 B of 19 December 1995, in which the Assembly requested the Secretary-General to report to it at its fifty-first session on the progress made in the implementation of the resolution. In the same paragraph of the resolution, the General Assembly also requested the Secretary-General to report every three months on the progress of the United Nations Special Mission to Afghanistan. Two progress reports have been submitted to the Assembly: one on 3 April 1996, covering the period from 1 January to 31 March 1996,[3] and the other on 16 July 1996, for the period from 1 April to 30 June 1996.[4]

2. The present report is, at the same time, intended to fulfil the request contained in paragraph 14 of Security Council resolution 1076 (1996) of 22 October 1996.

3. The present report describes the main events which have taken place in Afghanistan since the adoption of General Assembly resolution 50/88 B, including the activities of the Special Mission. Special attention has been given to the period between July and November 1996, when Afghanistan witnessed yet another round of upheavals with significant implications for its future and for the United Nations peacemaking efforts.

4. On 7 July 1996, I appointed Mr. Norbert Heinrich Holl as head of the United Nations Special Mission to Afghanistan to replace Mr. Mahmoud Mestiri, who had resigned at the end of May for health reasons.

II. Recent developments in Afghanistan

Military developments

5. Until the beginning of September 1996, control of Afghanistan remained divided between a number of groupings. The Government forces of Mr. Burhanuddin Rabbani and his chief military commander Mr. Ahmad Shah Masoud controlled Kabul and five adjacent provinces in the northeast. General Abdul Rashid Dostum and his allies in the Supreme Coordination Council controlled six provinces in the north. The Hezb-i-Wahdat of Mr. Abdul Karim Khalili, a member of the Council, controlled the central regional province of Bamyan and parts of Ghor. The Eastern Zone *Shura* led by Governor Hajji Abdul Qadir, which was independent of the other factions and claimed neutrality between them, controlled the provinces of Nangarhar, Laghman and Kunar. The Taliban movement controlled 14 provinces in the south and west and in geographical terms was the most significant of the factions.

6. Although the rest of Afghanistan remained relatively calm, fighting continued around Kabul between the forces of the Government and the Taliban, who were close to the outskirts of the city. The fighting involved the use of rockets, missiles and occasional aerial bombardment by each side of the other's positions. Civilian casualties and material damage in Kabul were heavy at times. The main supply road to Kabul from Jalalabad through Sarobi was often blocked, causing shortages of food and fuel in Kabul. The main road from Mazar-i-Sharif in the north through the Salang Tunnel also remained closed for most of this period, despite the undeclared ceasefire between the Government and the Supreme Coordination Council forces south of the Salang Pass.

7. The general calm in the north under General Dostum was briefly disturbed by the death, in an ambush in Mazar-i-Sharif on 25 June 1996, of General Rasul Pahlawan, deputy to General Dostum and head of the armed forces of the National Islamic Movement of Afghanistan (NIMA) led by General Dostum. Clashes were reported between the supporters of General Dostum and General Pahlawan in the period immediately following the latter's death. The situation was soon brought under control and calm gradually returned to the area.

8. Dramatic changes, however, began at the beginning of September when the Taliban, advancing from Azra town

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* Circulated under the double symbol A/51/698–S/1996/988.

in Logar province, attacked the Nangarhar forces under Governor Hajji Abdul Qadir, which were defending the strategic town of Hasarak, some 70 kilometres south-west of Jalalabad. After several hours of what was described as heavy fighting involving the use of fighter planes, artillery and tanks, the Taliban forces claimed victory. The Nangarhar forces withdrew, claiming to have suffered heavy casualties and requesting the International Committee of the Red Cross to assist in the evacuation of the dead and wounded to a hospital in Jalalabad. Hajii Qadir and some members of his Shura fled from Jalalabad to Peshawar in Pakistan. Others either changed sides or went into hiding. Subsequent reports suggested that the fighting was less intense than initially reported and that the Taliban's advance was largely due to the defending forces' reluctance to resist it.

9. On the following day, 11 September, the Taliban captured Jalalabad, putting an end to the four-year-old multiparty *Shura* of Nangarhar, Laghman and Kunar. Again initial reports seem to have exaggerated the intensity of the fighting, though the Kabul Government used aerial bombardment in an effort to prevent the Taliban from taking the city.

10. I issued a statement on 12 September expressing grave concern at the escalation of hostilities and the bombing of Jalalabad, which especially endangered the large population of internally displaced persons camped in the area. The spread of fighting to Nangarhar was also of concern as the Special Mission's headquarters were located in Jalalabad precisely because of the city's neutrality. I was obliged to instruct the head of the Mission to move his headquarters back to Islamabad as a temporary measure, until conditions permitted its relocation to Kabul.

11. After taking Jalalabad, the Taliban began to move against Sarobi on the road from Jalalabad to Kabul and captured it on 24 September. At the same time, they moved northwards towards Bagram airport, which had become the only airport available to the Kabul Government, Badakshan province and its capital Fayzabad. The situation in Kabul became tense and its security precarious as government forces fell into disarray. On 26 September, I ordered the evacuation of all non-essential United Nations staff, leaving only three international staff members in the capital. Many non-governmental organizations and foreign embassies also evacuated their staff from Kabul at this time. The head of the Special Mission issued a statement on 25 September appealing to the warring factions to cease all hostilities and to pursue negotiations under the auspices of the United Nations. He also called on those countries with influence in Afghanistan to persuade the warring factions to abandon the course of war and to search for peace in a spirit of reconciliation and mutual accommodation.

12. The Taliban forces entered Kabul in the early morning of 27 September and immediately took control of the city without perceptible resistance from the government forces which had largely withdrawn during the previous night. A six-member interim Council was formed under the leadership of Mullah Mohammed Rabbani to take charge of Kabul. The Taliban rigorously imposed the Shariah Islamic law on the Kabul population as they had done previously in other areas under their control. I issued a statement on 7 October 1996 expressing concern about the ability of the United Nations to continue its humanitarian and developmental work given some of the constraints imposed by the new regime in Kabul.

13. The Taliban pursued their military advance northwards from Kabul. A few days later they captured Charikar, followed by Bagram airport, and the strategic town of Jabal-os-Siraj at the foot of the Salang Pass, which put them face-to-face with the forces of General Dostum south of the Salang Tunnel. They also captured Gulbahar, a town at the entrance of the Panjshir valley, the base of Commander Masoud.

14. After withdrawing from Kabul, the government forces regrouped in the Panjshir valley and had little difficulty in repelling attacks against them by the Taliban. Two weeks later they launched a counter-attack and retook such strategic places as Jabal-os-Siraj, Bagram and Charikar and moved to within rocket range of Kabul. Meanwhile, General Dostum and his allies in the Supreme Coordination Council abandoned their neutrality between the Taliban and the government forces and on 11 October concluded a new alliance known as Supreme Council for the Defence of Afghanistan. It comprised NIMA, the Hezb-i-Wahdat, Mr. Rabbani and Commander Masoud. The relationship between the Supreme Council and Mr. Gulbuddin Hekmatyar, who had been Prime Minister in Mr. Rabbani's Government since 26 June 1996, remains obscure. The purpose of the new alliance was to check, by military means if necessary, any further advances by the Taliban forces.

15. Since mid-October the military situation around Kabul has remained static, with desultory shelling and rocketing and occasional air raids but no serious armoured or infantry activity by either side. There has, however, been a recrudescence of military activity in the west of the country where Taliban forces operating out of Herat made initial incursions into NIMA-controlled territory in Badghis and Faryab provinces, as a riposte to the government forces' counter-attack to the north of Kabul, but they were subsequently repulsed by NIMA forces. At the same time, there have been reports of anti-Taliban unrest in the eastern provinces of Kunar and Nangarhar by elements of the former administration of these areas. The unrest has so far not developed into a full-scale military confrontation.

16. The most significant and disturbing consequence of these military developments is that Afghanistan is effectively divided, for the first time in recent history, between north and south. The division is not only military but also ethnic: the Taliban, whose leadership and forces are largely composed of Pashtuns, control almost all the Pashtun majority areas; and the Supreme Council controls almost all the areas where the majority is Hazara, Tajik or Uzbek.

Former Afghan President Najibullah

17. One of the first acts of the Taliban administration in Kabul was the extrajudicial murder of the former President

Najibullah and his brother Shahpur Ahmadzai in the early hours of 27 September. At about 0130 hours on that day, a group of Taliban soldiers forcibly entered the Special Mission premises where Mr. Najibullah, his brother and two other colleagues had been living since taking refuge in the United Nations premises in April 1992. After some discussion, the Taliban soldiers forced Mr. Najibullah at gunpoint to enter their vehicles, which took him away in the direction of the presidential palace. About two hours later, another group of Taliban soldiers broke into the Mission compound and forcibly removed Mr. Ahmadzai, under the pretext of taking him to see his brother and promising to return him and Mr. Najibullah to the Mission premises within 30 minutes. At about 0600 hours, the United Nations international personnel in the Mission compound were informed that the bodies of Mr. Najibullah and his brother were hanging in Ariana square in the city centre, a short distance from the compound.

18. Mr. Najibullah's predicament had been a matter of concern to me for the previous four years. I had personally intervened with the Kabul authorities on a number of occasions to persuade them that Mr. Najibullah, who had cooperated with the United Nations in an attempt to transfer power peacefully in 1992, should be allowed to leave Afghanistan safely. Most recently I had instructed the Under-Secretary-General for Political Affairs to put new proposals in this regard to the Kabul authorities during his visit to Afghanistan in mid-September (*see paras. 37-39 below*). They had consistently maintained that they wanted to resolve the problem but saw great political difficulties in doing so. They had nevertheless shown interest in the ideas put forward by the Under-Secretary-General for Political Affairs.

19. However the Taliban's seizure of Kabul and murder of Mr. Najibullah brought these discussions to an end and raised new issues relating to violation of the immunity of United Nations premises and the execution of persons who had sought refuge in those premises.

Current political developments

20. The fall of Kabul to the Taliban on 27 September has generated a great deal of political and diplomatic activity inside Afghanistan, in the region and internationally; it has also significantly affected the work of the Special Mission. Inside Afghanistan, a new realignment of forces emerged as a new anti-Taliban alliance replaced the Supreme Coordination Council. Control of the country is now divided between two major forces, the Taliban and the Supreme Council for the Defence of Afghanistan. The capture of Kabul, meanwhile, has propelled the Taliban into the international spotlight as their structure, administration, leadership, policies, political agenda and military aims are subjected to close scrutiny by the international community and the media.

21. At the regional level, some countries were alarmed at the prospect that the Taliban might overrun the whole of Afghanistan, while others took a less negative view of developments. The Russian Federation and four Central Asian countries adopted at Almaty on 4 October a declaration expressing concern that the flames of war should be coming nearer to the borders of countries belonging to the Commonwealth of Independent States. They declared that the Afghan conflict posed a direct threat to their national interests and security and those of the region. At the initiative of the Islamic Republic of Iran, a regional conference on Afghanistan was held at Tehran on 29 and 30 October. The conference adopted a declaration expressing concern at recent events and appealed for an early settlement through mediation by the international community.

22. The Security Council held several meetings and informal consultations on the Afghan situation before and after the fall of Kabul, and repeatedly requested me and the Special Mission to keep it fully informed of events. On 22 August, the President of the Security Council addressed a letter to me on this subject. After a formal meeting on 16 October, the Council adopted resolution 1076 (1996) on 22 October, in which it, *inter alia*, called upon all Afghan parties immediately to cease all armed hostilities, to renounce the use of force, to put aside their differences and to engage in a political dialogue aimed at achieving national reconciliation and a lasting political settlement of the conflict and establishing a fully representative and broad-based transitional government of national unity.

Humanitarian situation

23. The humanitarian situation in Afghanistan remains serious and is likely to deteriorate sharply over the winter months.

24. In spite of the destruction of 300,000 mines and the clearance of 153.8 square kilometres, it is estimated that up to 10 million mines still remain. Mine-related deaths have soared in recent months, owing to the massive number of civilians moving back into former front-line territory. It is estimated that on average one person is killed per hour by a mine incident. In Kabul, three persons per day report to hospitals with serious injuries caused by mines or unexploded ordnance. This rate is likely to increase in coming months as the population, especially children, enter former areas of conflict in search of firewood.

25. It is estimated that up to 1 in 10 Afghans suffer from a disability of some kind: war has created a large population suffering from blindness, amputations, paralysis or trauma. Few are receiving adequate, if any, treatment. Preventable communicable diseases are the leading cause of death among Afghan children. Malnutrition is now estimated to affect 15 to 20 per cent of all children under the age of five. Health problems are exacerbated by limited access to safe drinking water, estimated to be available to only 5 per cent of the rural population and at best 40 per cent of the urban population.

26. The food security situation will worsen as winter sets in, especially for the urban population. It is estimated that up

to 600,000 persons in Kabul have an inadequate diet and may suffer from severe malnutrition. Some 700,000 Afghans now depend upon subsidized bread. A further 210,000 receive food assistance through the World Food Programme food-for-work projects for rehabilitation and reconstruction.

27. Afghanistan has the highest rate of infant, child and maternal mortality in Asia. It is listed as the last of 135 countries on the United Nations Development Programme Gender Development Index, which measures female literacy, life expectancy and school enrolment. The prospects for addressing this situation have taken a sharp turn for the worse in recent weeks.

28. Over 2 million Afghan refugees live outside the country. There are hundreds of thousands of internally displaced people, including up to 50,000 newly displaced as a result of recent fighting in the north-west.

29. The security of United Nations and other aid community staff, both national and international, is a matter of growing concern. Staff have been subject to threats, intrusion into their private and official premises and kidnapping. These have led the Office of the United Nations High Commissioner for Refugees (UNHCR) to put a hold on some of their programmes in Kabul until all UNHCR local staff are able to resume their activities, in particular the four who are still in detention.

30. Violations of basic human rights, in particular those of women, have increased considerably, notably in Kabul since the Taliban takeover. In areas under their control, women and girls have been denied education and employment. On 7 October, I issued a statement in New York on the status of women and girls in Afghanistan, in which I stressed that the ability of the various United Nations agencies to operate in Afghanistan was vitally affected by policies of unequal treatment. I shall continue to address this issue patiently but consistently, through the Special Mission, the United Nations Office for the Coordination of Humanitarian Assistance to Afghanistan and the United Nations agencies in Afghanistan.

III. Activities of the Special Mission

31. Upon his appointment in July, the head of the Special Mission visited New York to be briefed and to receive instructions. He had consultations here with a number of Member States and stopped in Washington and Moscow for talks with senior government officials, before arriving in the region on 23 July and conducting a first round of consultations there between then and 13 August.

32. The initial round was devoted to an in-depth exchange of views with Afghan leaders and others. The head of the Special Mission briefed his interlocutors on his approach to his task and impressed on them the urgency of breaking the deadlock and the need to cooperate with the United Nations, beginning with an immediate ceasefire. He also stressed his intention to ensure better coordination between the United Nations agencies, non-governmental organizations and the Special Mission.

33. In pursuit of these aims, the head of the Special Mission travelled widely in Afghanistan. He met in Kabul with President Burhanuddin Rabbani; Prime Minister Gulbuddin Hekmatyar; the leader of the Ittehad-i-Islami, Mr. Abdul Rasul Sayyaf; the deputy leader of the Harakat-i-Islami, Mr. Ali Javed; the leader of the Hezb-i-Wahdat breakaway faction, Mr. Mohammed Akbar; the Vice-Minister for Foreign Affairs, Mr. Abdul Rahim Ghafoorzai; and the Minister of State for Foreign Affairs, Mr. Najibullah Lafrae. In Mazar-i-Sharif and Shebarghan, he met with the leader of the National Islamic Movement of Afghanistan, General Abdul Rashid Dostum, and his senior military and political officials, as well as with the deputy leader of the Hezb-i-Wahdat, Mr. Mohaqqiq. In Kandahar, he met the Taliban leadership, represented by the deputy leader of the Taliban Council, Mullah Mohammed Hassan; the Governor of Kandahar, Mullah Mohammed Hassan Rahmani; the official-in-charge of foreign affairs, Hajji Abdul Jalil; and the secretary of the Taliban Council, Mr. Mohammed Tahir. In Yaokolang, in Bamyan province, he met with the leader of the Hezb-i-Wahdat, Mr. Abdul Karim Khalili, and members of his Central Committee, and later with a group of professional women representing the women's wing of the Hezb-i-Wahdat. In Jalalabad, he met with Governor Hajji Abdul Qadir and members of his Eastern Zone Shura, and visited a camp of internally displaced persons located outside Jalalabad.

34. In Islamabad, the head of the Special Mission had talks with the leader of the National Islamic Front of Afghanistan (NIFA), Pir Sayed Ahmed Gailani; the leader of the Harakat-i-Islami, Ayatollah Assef Mohseini; and other prominent Afghan personalities. He met several times with the Foreign Secretary of Pakistan, Mr. Najmuddin Sheikh, and other senior government officials. He then visited Peshawar for a meeting with the representatives of the international and Afghan non-governmental organizations working in Afghanistan, and with the members of the Council for Mutual Understanding of Afghanistan, a body representing a group of Afghan intellectuals.

35. Following this initial round of his consultations, the head of the Special Mission reported to me the following conclusions. There was a genuine sense of frustration among his interlocutors, who showed increasing anxiety about the political deadlock and the deteriorating military situation. Most of them tended to blame the stalemate on foreign interference, especially through the supply of arms and other military assistance. The Taliban and General Dostum reiterated their demand that Mr. Rabbani step down as a precondition for any negotiations. All the Afghan leaders showed undiminished support for the activities of the Special Mission, reaffirming their confidence in the United Nations as the organization best suited to break the stalemate. They repeatedly urged the Mission to put forward its own peace plan or at least a blue-print for a settlement.

36. I instructed the head of the Special Mission to pursue the peace process as intensively as possible. He should maintain contact with a wide spectrum of Afghan leaders

and others, including segments of Afghan civil society, such as women's organizations and professional groups. I also requested him to press the leaders of the warring factions to agree to an immediate cessation of hostilities and to begin serious negotiations, through the good offices of the United Nations.

37. In order to demonstrate the importance I attached to the revitalization of the United Nations peacemaking efforts in Afghanistan, I dispatched the Under-Secretary-General for Political Affairs to the region between 10 and 17 September 1996.

38. In Kabul, the Under-Secretary-General and the head of the Special Mission met with President Rabbani, Prime Minister Hekmatyar, Mr. Rasul Sayyaf, Commander Masoud and Vice-Minister for Foreign Affairs Ghafoorzai, as well as with Mr. Najibullah. In Shebarghan, they met with General Dostum and the deputy head of the Hezb-i-Wahdat representing Mr. Khalili and in Kandahar with a delegation of the Taliban leadership led by the movement's Attorney-General, Mullah Abbas. They were obliged, however, to cancel their planned visit to Jalalabad, the location of the Mission's headquarters, as government aircraft were bombing the city, recently taken by the Taliban. In Islamabad, they held discussions with the Foreign Secretary of Pakistan, Mr. Najmuddin Sheikh, and with the Minister of the Interior, Mr. Nasrullah Babar.

39. Upon his return to New York, the Under-Secretary-General reported to me on the situation in Afghanistan as well as the activities of the Special Mission. Following his report, I confirmed that the Mission should intensify its consultations with all the Afghan parties, especially the Taliban, and that it should try to get each of them to subscribe to certain basic principles, such as a renunciation of the military option; agreement to participate in a phased political process; negotiation in good faith; acceptance of a ceasefire; acknowledgment of the role of the United Nations in cooperation with the Organization of the Islamic Conference (OIC) in facilitating the peace process; and full support to and cooperation with the Special Mission. The Mission should also continue to develop ideas on the elements of a political process which could be floated during consultations with the Afghan parties.

40. Shortly thereafter, however, the Taliban took Kabul, creating the risk that hostilities would escalate. I accordingly instructed the Special Mission to concentrate on an immediate cessation of hostilities. Strenuous efforts were also to be made to establish a working relationship with the Taliban authorities in Kabul, in order to ensure that the United Nations maintained an open channel for communication with and between all the parties and to address certain humanitarian issues which had assumed greater prominence since the Taliban capture of Kabul. It was to impress on all the Afghan leaders that Afghanistan is a member of the United Nations and therefore bound by the Charter of the Organization, including those provisions relating to the equal rights of men and women, and the various human rights instruments to which Afghanistan is a party. It was also to ensure that appropriate conditions existed for the United Nations agencies to continue to provide relief to the needy people of Afghanistan.

41. The head of the Special Mission accordingly travelled to Kandahar on 28 September for a meeting with the Taliban leadership which was represented by the Governor of Kandahar and member of the Council of the Taliban, Mullah Mohammed Hassan Rahmani, and two other members of the Council. They encouraged him to meet with the person appointed by the Taliban as Prime Minister, Mullah Mohammed Rabbani, on all issues of concern to the United Nations peace mission in particular and the United Nations in general, including the gender issues, human rights, the continuation of humanitarian assistance and the application of the general amnesty declared earlier by the Taliban leader, Amir Mohammed Omar.

42. In pursuit of the ceasefire objective, the head of the Special Mission travelled to Mazar-i-Sharif and Shebarghan on several occasions during the first half of October to meet with General Dostum and once with Mr. Rabbani and representatives of Commander Masoud. His purpose was to arrange a direct negotiation between General Dostum and the Taliban (represented by Mullah Ghaus and others) at a neutral location acceptable to both sides. Although General Dostum and Mr. Ghaus initially agreed to such a meeting and the Mission made preparations for it, this direct negotiation did not take place, apparently as a result of the escalation of the conflict between the two sides as the Taliban forces tried to push northwards from Kabul.

43. After visiting Kabul on 21 October for talks with the Taliban, the head of the Special Mission flew to Mazar-i-Sharif on 23 October to meet General Dostum and representatives of other members of the Supreme Council for the Defence of Afghanistan. The Pakistani Minister of the Interior was in the city at the same time. The head of the Mission was invited to participate in the discussion of a draft ceasefire accord which the Pakistani Minister had been negotiating with the Taliban leadership and which he believed they would sign if it was accepted by General Dostum and his allies. The meeting accepted a number of amendments proposed by the head of the Mission. However, the Pakistani initiative faltered at the last moment when members of the Supreme Council insisted that the agreement should also cover the demilitarization of Kabul.

44. Following this setback, the head of the Special Mission continued to shuttle between the Taliban and the Supreme Council in order to persuade them to meet under United Nations auspices to resume the negotiation of a ceasefire. These efforts led to a meeting in his office in Islamabad on 7 November at which the two sides were represented by Mullah Ghaus, acting Foreign Minister of the Taliban, and General Painda Muhammad, General Dostum's representative in Islamabad. No specific agreements were reached on this occasion but the two sides agreed to continue talks on a ceasefire.

IV. MEETING OF REGIONAL STATES AND OTHER STATES WITH INFLUENCE IN AFGHANISTAN

45. Pursuant to paragraphs 3 and 4 of General Assembly resolution 50/88 B, as well as paragraph 7 of Security Council resolution 1076 (1996), I invited a group of 19 regional and other interested Member States, together with OIC, to a meeting of consultation in New York on 18 November 1996. The purposes of the one-day meeting were twofold: to brief the participants on the current United Nations efforts in Afghanistan in the political, humanitarian and developmental fields; and to discuss with them what more they could do to support those efforts, with special reference to the conclusion of a ceasefire and the initiation of a political process leading to a negotiated settlement of the conflict. The Member States invited, all of whom accepted the invitation, were China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Saudi Arabia, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan. By letters dated 20 November, I informed the Presidents of the General Assembly[5] and the Security Council [*S/1996/966*] of the results of the meeting.

46. All participants agreed that the present situation could not be allowed to continue. It was intolerable in terms of the suffering it imposed on the Afghan people. It was also intolerable in the threats that it presented to the region and the world: threats of regional destabilization, drugs, terrorism and illegal arms flows.

47. The participants also reaffirmed the principles enshrined in General Assembly resolution 50/88 B, namely respect for Afghanistan's sovereignty, independence and territorial integrity; the need for the Afghan parties to negotiate a political settlement that would will respect the rights of all groups, including their human rights; and an end to foreign interference, especially through the supply of arms. And they reaffirmed support for the kind of peace process outlined in resolution 50/88 B.

48. All the participants confirmed that the United Nations had a central role to play in helping the Afghan parties define and implement a peace process, in close consultation with OIC, whose efforts should be complementary to those of the United Nations. They were unanimous in their appreciation of the efforts of the Special Mission under the leadership of Mr. Holl, especially his current efforts to bring about a ceasefire in and around Kabul, and pledged their continued support for those efforts. I was particularly encouraged that they responded positively to my call for close coordination between their own mediating efforts and those of the United Nations.

49. The participants responded positively on a number of other key issues. They indicated that they would use their influence with the various factions to persuade them to give up the military option and join in the common search for a negotiated peace. They gave a positive response to my request that countries with influence in Afghanistan should be ready, individually or collectively, to help the United Nations efforts when the United Nations so requested. Most expressed the view that it would be useful for the countries at the meeting to continue to meet informally from time to time and at various levels. There was also widespread support for the idea that in due course an international conference should be convened to support negotiations and endorse their results. A number of delegations offered to host such a conference and/or earlier direct negotiations between the Afghan parties.

50. The delegations also showed a keen interest in collective action to curb or halt the flow of arms and ammunition into Afghanistan. Some suggested that the Wassenaar regime for the point of origin control of conventional weapons transfers could be useful in this context. Others favoured a formal arms embargo by the Security Council.

51. The delegations were unanimous in their desire to alleviate the suffering which the Afghan conflict imposed on the ordinary people of that country. A number of them also shared my view that the promise of a major international effort to reconstruct Afghanistan when peace was restored could itself be an important incentive to the faction leaders to negotiate a peace settlement.

V. OBSERVATIONS AND RECOMMENDATIONS

52. I am heartened by the fact that the international community seems prepared to re-focus its attention on the situation in Afghanistan. I believe that the meeting which took place at my invitation on 18 November was a useful first gathering of a group of countries which are particularly well placed to support the efforts of the Secretary-General to carry out the mandates entrusted to him by the General Assembly and the Security Council. It is my intention to convene further informal meetings of the group from time to time at various levels.

53. The lead role in the United Nations efforts to help bring peace to Afghanistan lies with the Special Mission to Afghanistan. The Mission will continue to explore how it can most effectively assist the Afghan parties to negotiate a broad-based settlement. To that end it will maintain contact with all the parties involved in the conflict and will observe strict neutrality and impartiality in its work, impressing on the faction leaders that their genuine cooperation with the Mission is vital to the success of any peace plan. The immediate focus of its efforts is the negotiation of a ceasefire, to be accompanied or followed by the demilitarization of Kabul and the establishment of a neutral force to police the city while political dialogue continues, with the assistance of the Mission if the parties so wish, on the creation of a fully representative and broad-based mechanism for national reconciliation.

54. I have already taken the necessary steps to strengthen the Mission by appointing the four additional political affairs officers authorized in General Assembly resolution 50/88 B. In addition, I propose to increase its military advisers from the current two to five, so as to enhance its capability to understand the fast-changing military situation and to facilitate the parties' discussion of options for the demilitarization of

Kabul and other such measures. I also propose to assign two civilian police advisers to the Mission in connection with current discussions between the Afghan parties about the establishment of a neutral force to police a demilitarized Kabul.

55. In cooperation with the United Nations agencies and programmes operating in Afghanistan, the Special Mission will continue to raise with the relevant authorities issues of equal treatment, the observance of human rights, and the unhindered provision of humanitarian assistance to the needy. The Mission will also insist on strict respect for the privileges and immunities of United Nations staff and premises.

56. The suffering of the Afghan civilian population, who continue to bear the main brunt of the civil war, and the dangers that that war creates for regional stability, oblige the international community to intensify its search for a peaceful solution, despite the fact that certain Afghan parties seem to continue to favour the military option. It is fortunate, however, that the great majority of Afghans want the United Nations to play a central role in the search for a solution. I therefore seek the General Assembly's endorsement of the approach set out in this report and in particular of the proposed additions to the strength of the Special Mission.

DOCUMENT S/1996/993

Report of the Secretary-General on the implementation of Security Council resolution 1078 (1996)

[*Original: English*]
[*29 November 1996*]

I. INTRODUCTION

1. In paragraph 10 of its resolution 1078 (1996) of 9 November 1996, the Security Council requested the Secretary-General, in consultation with his Special Envoy, the Humanitarian Coordinator for the Great Lakes Region, the United Nations High Commissioner for Refugees, the Organization of African Unity (OAU), the Special Envoy of the European Union (EU) and the States concerned, to draw up a concept of operations and framework for a humanitarian task force.

2. During the past few weeks, and in particular since 15 November, the situation in eastern Zaire, Rwanda and Burundi has changed rapidly and dramatically. In view of this sudden transformation, it may be useful for the Council to receive a detailed account of recent events there, in which political, military and humanitarian aspects are closely interlinked. For the same reason, it is difficult at the present stage to provide the Council with a comprehensive concept of operations for a humanitarian task force. Indeed, it is still unclear what the scope of such a force's tasks would be, especially when the nature, strength and modus operandi of the multinational force to be established under resolution 1080 (1996) of 15 November 1996 have yet to be finalized.

3. The present report is based on information available to the Secretariat up to 26 November 1996.

II. POLITICAL DEVELOPMENTS

The situation in Zaire

4. Since September 1996, the situation in eastern Zaire has undergone a sharp transformation. Fighting between the Zairian Army and the rebels intensified and resulted in the rebels' takeover, by 4 November 1996, of the towns of Uvira, Bukavu and Goma. The fighting caused a massive movement of over a million Rwandan and Burundian refugees who needed urgent humanitarian relief. Greatly concerned by these developments, the Secretary-General wrote to the President of the Security Council on 14 and 24 October [*S/1996/875 and S/1996/878*] and personally briefed the Council on 25 October and 8 November. He has also been in constant touch with the Heads of State of the countries of the region and with the current Chairman, President Paul Biya of the Republic of Cameroon, and the Secretary-General of OAU.

5. On 4 November 1996, the leader of the rebel group that calls itself the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL), Mr. Laurent-Désiré Kabila, announced a unilateral ceasefire. On 10 November, he promised to open a humanitarian corridor for refugees and relief organizations. However, he warned that any humanitarian organizations wishing to operate in what he called "liberated zones" had to deal with the ADFL. He added that, if an international force did not intervene quickly, his forces would attack Mugunga refugee camp, from which, he claimed, Goma had been shelled on 9 and 10 November.

6. Reacting to that statement, on 10 November the Zairian Minister of Information warned international organizations not to deal with or support the rebels, otherwise the Government could withdraw their right to work inside Zaire. The divergent positions of the rebels and of the Government of Zaire on this issue have made negotiations regarding humanitarian corridors and the return of aid agencies, whose relocation the Secretary-General had reluctantly authorized earlier, to eastern Zaire extremely difficult.

United Nations Special Envoys

7. During the early stages of the conflict between the rebels and the Zairian Army in South Kivu, the Secretary-General twice sent a Special Envoy, Mr. Ibrahima Fall, to the region for fact-finding purposes. His first mission took place on 22 and 23 September 1996 after the Zairian authorities had accused the Office of the United Nations

High Commissioner for Refugees (UNHCR) and several non-governmental organizations of providing assistance to the Banyamulenge. The Special Envoy was able to establish that these accusations were unfounded and his visit helped to reduce the tension between the Zairian authorities and UNHCR. The purpose of his second mission, from 18 to 24 October, was, if possible, to identify courses of action that could help control or resolve the conflict. On 30 October, Mr. Fall gave the members of the Security Council an oral briefing on the situation in the Great Lakes region. Mrs. Sadako Ogata, the United Nations High Commissioner for Refugees, also briefed the Council on 25 October.

8. On 29 October, the Secretary-General again wrote to the President of the Council [*S/1996/888*], informing him that he had decided to appoint Mr. Raymond Chrétien (Canada) as his Special Envoy for the Great Lakes region. The Special Envoy's tasks would be threefold: to consult with all concerned in order to establish the facts relating to the present conflicts and to develop plans for defusing the tension and establishing a ceasefire and a process of negotiations; to explore the possibilities for the early convening of a regional conference; and to present the Secretary-General with advice on the mandate to be given to a special representative whom he might appoint for the region and on the size and structure of the United Nations political presence that, in consultation with the Governments concerned, would be established in the Great Lakes region.

9. On 30 October 1996, a technical mission of the Department of Peacekeeping Operations of the Secretariat, led by Assistant Secretary-General Behrooz Sadry, arrived in Kinshasa to discuss with the Government of Zaire the possible deployment of United Nations observers, pursuant to paragraph 7 of Security Council resolution 1053 (1996). Given the deterioration of the situation in eastern Zaire and the fact that it was physically impossible for the technical mission to proceed to eastern Zaire at that time, the Secretary-General instructed Mr. Sadry to prepare the way for the Chrétien mission. Accordingly, Mr. Sadry met with the Prime Minister and other government Ministers for this purpose, as well as with members of the Kinshasa diplomatic corps and the Special Envoy of EU.

10. The Special Envoy of the Secretary-General arrived in Kinshasa on 8 November 1996, having first called on President Mobutu Sese Seko of the Republic of Zaire in the south of France. Since then he has been shuttling between the capitals of the subregion in a continuous effort to obtain the various parties' agreement to a number of measures that need to be taken if this complex crisis is to be controlled and resolved. These measures include an end to the fighting, an easing of tension between the States of the subregion, the voluntary and orderly return of refugees to Rwanda and Burundi and the initiation of a negotiating process that could lead to the convening of a regional or international conference. At the same time the Special Envoy of the Secretary-General, in close collaboration with the Humanitarian Coordinator for the Great Lakes region, has worked intensively to help create conditions for the speedy delivery of humanitarian relief to refugees and displaced persons. His interlocutors have also raised with him issues related to the deployment of an international force in eastern Zaire, especially since the adoption of resolutions 1078 (1996) and 1080 (1996) on 9 and 15 November, respectively.

11. At the time of writing, the Special Envoy of the Secretary-General has paid one or more visits to the capitals of Burundi, Ethiopia, Kenya, Rwanda, Uganda, the United Republic of Tanzania and Zaire and has had extensive conversations on all aspects of his mandate with the leaders of those countries, with Mwalimu Julius Nyerere, with the Secretary-General of OAU and with a number of other international personalities who have been contributing to the international search for ways to restore peace and security and to address the enormous humanitarian problems in the subregion. The Special Envoy will complete his mission about 10 December and will then return to New York to brief the Secretary-General and the Security Council on his findings.

12. The Special Envoy's first consultations with Rwandan and Zairian leaders confirmed the differences in their view of the situation. The Rwandan leaders stated that their country was not in a state of war with Zaire and that Rwandan forces were not involved in the hostilities in eastern Zaire. They were willing to meet with the Zairian authorities, provided the time and the place of the meeting were acceptable to both sides. They reaffirmed that Rwanda was willing to facilitate the voluntary return of refugees. They also stated that a multinational force should have a strictly humanitarian mandate. On 11 November, during their talks with a delegation of EU, they agreed to open the country's borders with Zaire for humanitarian aid.

13. On the other hand, the Zairian leaders considered Zaire to be at war with Rwanda, conveying to the Special Envoy their demands for an official ceasefire and the withdrawal of the Rwandan forces, which, they alleged, were occupying Zairian territory. They also suggested a high-level meeting between the leaderships of the two countries.

Deployment of an international force in eastern Zaire

14. On 5 November, at the invitation of President Daniel T. Arap Moi of the Republic of Kenya, the Presidents of Eritrea, Rwanda, Uganda, the United Republic of Tanzania and Zambia, together with the Prime Minister of Ethiopia, the Foreign Minister of Cameroon (representing the current Chairman of OAU), the Secretary-General of OAU and Mwalimu Julius Nyerere met in Nairobi to deliberate on the conflict in eastern Zaire. The Government of Zaire was invited but did not attend. In a statement issued at the end of the meeting, the summit agreed that an immediate ceasefire should be strictly observed; reaffirmed its commitment to the territorial integrity of Zaire; called for non-intervention and an end to cross-border incursions; reaffirmed the inalienable rights of all people as stipulated in international conventions relevant to the right of citizenship and nationality; called for the immediate setting up of safe corridors and temporary sanctuaries inside Zaire to facilitate humanitarian assistance

and the repatriation of refugees; called for the implementation of the long-standing decision to separate the intimidators (i.e. the ex-Rwandese Armed Forces personnel and the extremist Hutu militias) and bona fide refugees; requested the Security Council to deploy a neutral force; and reaffirmed the readiness of the subregion to make its own contribution to this effort.

15. On 7 November, the Secretary-General wrote again to the President of the Security Council [*S/1996/916*]. In both that letter and his briefing on 8 November, the Secretary-General suggested that the best response to the humanitarian crisis in eastern Zaire would be for those Member States which possessed the necessary capacity to take the lead in putting together a multinational force and to seek the Security Council's authorization for its deployment. The mandate of such a force would be to ensure the minimum security necessary to permit stabilization of the situation and enable civilian agencies to bring relief to the refugees and start preparing for their repatriation.

16. On 11 November, the 17-member Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of OAU met in Addis Ababa to discuss the crisis. A statement issued after the meeting called on the Security Council to authorize immediately the rapid deployment of a neutral force to provide humanitarian assistance to refugees, as well as to ensure their return to Rwanda, and stressed that African participation in such a force was pivotal. The statement also asked the Security Council and the international community to take measures to ensure that the necessary financial, logistical and material resources to support the participation of African countries were provided on a reliable and lasting basis.

17. On 12 November, President Mobutu met in southern France with South African Vice-President Thabo Mbeki and, on 14 November, with the Foreign Ministers of the United Republic of Tanzania, Kenya and Ethiopia. President Mobutu reportedly urged the establishment of secure corridors for the supply of humanitarian assistance and the return of refugees. The Special Envoy of the Secretary-General had received a similar request from Prime Minister Kengo wa Dondo in Kinshasa.

18. The Security Council kept under continuing consideration the deteriorating situation in eastern Zaire and adopted resolutions 1078 (1996) and 1080 (1996).

III. THE HUMANITARIAN SITUATION

19. The situation in eastern Zaire remains extremely volatile. The large-scale movement of refugees across the Rwandan border that began on 15 November has significantly changed the humanitarian landscape, but population movements in the Great Lakes region are far from over. At the time of finalizing the present report, it was extremely difficult to estimate with any degree of precision the magnitude and implications of the continuing population flows into Rwanda and within eastern Zaire.

Overview of recent developments

20. There were 1.24 million refugees in eastern Zaire before the recent conflict, 1.1 million of whom were Rwandan and the others Burundian. These figures are based on past verifications and on the UNHCR/World Food Programme (WFP) food assessment mission undertaken last October in North Kivu, in which EU and the United States Government participated as observers. While the situation keeps fluctuating, it was roughly as follows on 25 November 1996:

(*a*) An estimated 500,000 Rwandan refugees have returned to their country since 15 November;

(*b*) According to earlier estimates of UNHCR, over 700,000 refugees remained in Zaire. More recent estimates put the number between 300,000 and 700,000. Reports indicate groups of people in several large new concentrations, including at locations south of Uvira, south-west of Bukavu, north-west of Bukavu, between Bukavu and Goma and north-west of Goma. It is assumed that the majority of these persons are from the refugee camps, but there are likely to be displaced Zairians among them and significant numbers of displaced Zairians elsewhere;

(*c*) So far 36,000 Burundian refugees have returned to their country from the Uvira region of Zaire;

(*d*) There have been considerable new influxes from eastern Zaire into Uganda, the United Republic of Tanzania and Zambia. They involve mostly Zairian nationals, but also include Rwandan and Burundian refugees;

(*e*) The United Republic of Tanzania continues to host 535,000 Rwandan refugees and has faced an additional influx of 49,000 refugees from Burundi since 1 November.

Rwanda

21. In Rwanda, the sudden mass return of refugees from Zaire was a welcome, if unexpected, development, which broke the deadlock that had prevailed since mid-1994 and eased the humanitarian crisis caused by recent fighting in North and South Kivu. In a matter of hours, an unabated stream of refugees poured into Rwanda through the Goma-Gisenyi border crossing, stretching to their limits the reception, transit relief and transportation capacity of the Government of Rwanda and international organizations. The Government of Rwanda has cooperated in facilitating the processing and onward movement of some 500,000 returnees so far. The Secretary-General commends international organizations for their coordinated effort at meeting this major humanitarian challenge. This sudden and massive repatriation of Rwandan refugees from Zaire has generated a momentum the Government of Rwanda can use to promote national reconciliation and the easing of tension and insecurity in eastern Zaire. Rwanda will need assistance from the international community. In accordance with a request by the Government, returnees will be provided not only with transportation and standardized return packages but also with food security for a period of six months from WFP and with a variety of other types of assistance

by UNHCR aimed at promoting their reintegration, ranging from shelter projects to activities in support of vulnerable groups, women in particular.

22. As part of an overall effort planned and coordinated by the Government of Rwanda and under the lead of the United Nations Resident Coordinator, inter-agency plans involving the United Nations Development Programme (UNDP), the World Bank, the United Nations Children's Fund (UNICEF), WFP, UNHCR, other United Nations agencies and non-governmental organizations are being developed in order to ensure that a long-term community-based rehabilitation and development strategy is devised and implemented from the early stages of the repatriation movement. It is crucial that a simultaneous, rather than a sequential, approach be followed towards short-term reintegration assistance and long-term rehabilitation and developmental aid. In this regard, the informal donor meeting of refugee reintegration in the Great Lakes region of Africa held on 23 November 1996 at Geneva at the initiative of the Government of Canada was extremely important.

23. Healing the traumas of war, genocide and suffering in exile will be an enormous challenge. If reconciliation is to have a chance, the people of Rwanda must reach agreement on building an inclusive society and for the wounds of genocide to heal there must be justice. In coping with local tensions that may emerge as a result of this sudden influx of returnees, the Government of Rwanda will also require international support in strengthening its system of justice, especially at the commune level. In particular, the United Nations Human Rights Field Operation in Rwanda deployed by the United Nations High Commissioner for Human Rights will require secured funding in order to increase the number of its monitors in Rwanda. Other agencies will also continue to assist the Rwandan judiciary through institution-rebuilding projects intended, in particular, to facilitate the early implementation of the recently adopted Genocide Law, which, in turn, should help reduce the number of detainees awaiting trial, who are currently estimated at some 85,000.

Burundi

24. In Burundi, some 36,000 refugees repatriated from Zaire, mainly from the Uvira region. In fact, the insurgents in South Kivu are said to have organized their return to Burundi and to have brutalized, and allegedly even killed, a number of male refugees, mostly before they crossed the border.

25. On the Burundian side, the main concern of the Secretary-General is the safety of people returning to troubled areas, especially Cibitoke province, where according to recently confirmed reports 300 returnees were massacred in a church on 27 October. After a number of démarches, UNHCR gained access to the border areas for assistance and protection purposes. Following intensive discussions between the Regional Humanitarian Coordinator, the UNHCR Special Envoy and the Government of Burundi, the authorities promised every possible effort to ensure the security of returnees. This may include the temporary regrouping of returnees in some areas, if possible close to their own villages. This solution may still be better than facing the dangers of conflict and hunger in eastern Zaire. However, as a matter of priority it must be combined with assured safe access for humanitarian staff and human rights observers. The international presence in Burundi must therefore be enhanced. At present, there are only five human rights monitors stationed in the entire country. The Government of Burundi has welcomed the plan of the United Nations High Commissioner for Human Rights to increase their number to 35 as soon as the necessary resources are made available to him.

26. The problem of returnees in Burundi is further compounded by the large number of internally displaced persons, said to number some half a million, to whom only a modest level of assistance is being provided.

Zaire

27. As for Zaire, the return of a significant number of Rwandan and Burundian refugees to their countries is undoubtedly a positive development. The policy of the Government of Zaire has been that refugees must repatriate and international assistance should no longer be made available in Zaire but in their countries of origin. The presence of refugees in North and South Kivu was considered a threat both to internal stability and to security along Zaire's borders with Burundi and Rwanda. In this connection, the Secretary-General wishes to pay tribute to the Government of Zaire, which over the past two and a half years has carried the major burden in hosting the largest number of refugees in the subregion.

28. However, as at 25 November, up to 700,000 Rwandan and Burundian refugees and displaced Zairians are believed to remain in eastern Zaire. Despite improved access to areas close to Goma and Bukavu and missions to Kisangani and Walakali, United Nations agencies have so far been unable to re-establish contact with these populations, assess their numbers and their conditions accurately or provide them with life-sustaining assistance. Access to and protection of refugees, internally displaced persons and local affected populations in eastern Zaire thus remain cause for very grave concern.

29. Reference has already been made to the elements of the former Rwandese Armed Forces and extremist militias who are still believed to be at large in Zaire. Measures will have to be agreed upon to determine how many will continue to qualify for refugee status and what solution can be found for them, pending their repatriation. International protection and assistance will no longer be available for those who do not qualify for refugee status or who, for other reasons, may be excluded from the statute of UNHCR or from the protection of the 1951 Convention relating to the Status of Refugees and/or of the 1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa.

Among these people there may be persons who fall within the competence of the International Criminal Tribunal for Rwanda and who will have to be dealt with accordingly.

30. A large and as yet undetermined number of Zairian nationals have been displaced as a result of recent fighting. In its resolutions 1078 (1996) and 1080 (1996), the Security Council recognized the plight of this category of victims of the conflict. International organizations will, in collaboration with the International Committee of the Red Cross (ICRC), cooperate with the Government of Zaire in extending to them material assistance and the necessary protection, in returning them to their homes, security conditions permitting, and in rehabilitating them.

31. It is also extremely important that international assistance should be resumed for the rehabilitation of the infrastructure and the environment in areas of North and South Kivu affected by the previous presence of refugee populations.

United Republic of Tanzania

32. As at 27 November 1996, the United Republic of Tanzania hosted a total of 756,000 refugees, including 535,000 Rwandans, 189,000 Burundians and 30,700 Zairians. UNHCR has been assisting the Government in the formulation of a plan to facilitate their voluntary return. It is hoped that recent large-scale returns from Zaire will encourage the refugee population in the United Republic of Tanzania to do so as well and that their repatriation will be carried out in an organized and phased manner, so as not to overstretch the absorption capacity of the Government of Rwanda. Meanwhile, UNHCR, UNDP and other agencies are reinforcing their infrastructure repair and environmental rehabilitation activities in the Ngara and Kagera provinces.

33. As regards the Burundian refugee population, direct arrivals from Burundi had been increasing since early 1996, but the number of arrivals since 1 November 1996 has reached 49,000. As a result of the recent hostilities in South Kivu, some Burundian refugees are believed to have crossed Lake Tanganyika from the Zairian shore and to have sought asylum in the United Republic of Tanzania. In the prevailing circumstances in Burundi, only volunteers should be repatriated to Burundi. The United Nations High Commissioner for Refugees and the Secretary-General appeal to the United Republic of Tanzania and to Zaire to continue to extend asylum to this category of persons in keeping with their countries' long-standing tradition of hospitality to persons in need of international protection. The Secretary-General pays tribute to both these Governments for what they have already done so generously in response to this appeal.

34. The Secretary-General also wishes to express his gratitude to the Governments of Kenya and Uganda for the logistical facilities that they have continued to extend to humanitarian agencies since the beginning of the current crisis in eastern Zaire.

Humanitarian response to the current situation

35. Prior to the current crisis, individual United Nations agencies, in particular, UNHCR, WFP, UNICEF, the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO), had undertaken extensive emergency preparedness measures and stockpiled food and other relief commodities in the region. At the same time, United Nations agencies, non-governmental organizations and donor Governments agreed to the need for an improved overall policy, programme cohesion and a coordination mechanism. On 6 November, after consulting with concerned agencies, the Secretary-General decided to appoint Mr. Sergio Vieira de Mello, Assistant High Commissioner for Refugees, as Regional Humanitarian Coordinator for the Great Lakes Region and Mr. Martin Griffiths, Director, Department of Humanitarian Affairs, Geneva, as the Deputy Regional Humanitarian Coordinator, pending the receipt of his Special Envoy's recommendations on longer-term arrangements for the coordination of United Nations efforts in the area.

36. To carry out his responsibilities, the Regional Humanitarian Coordinator has been working closely with the Special Envoy of the Secretary-General, as well as remaining in regular contact with government representatives and concerned authorities and maintaining close contact with the Special Envoys of the United States, EU and other actors in the region. He will also establish an appropriate mechanism for liaison with the multinational force as and when it is set up, as authorized by the Security Council in its resolutions 1078 (1996) and 1080 (1996). The Regional Coordinator will act as an advocate and facilitator to ensure the coherence of the overall humanitarian effort in the Great Lakes region. At present, however, the immediate needs are to secure access to those affected by the current conflict, to stabilize their condition and to ensure that relief agencies can provide emergency assistance and support repatriation programmes in a well-coordinated manner. Non-governmental organizations and other operational humanitarian organizations will be strongly encouraged to participate in the coordination mechanism of the United Nations system, regardless of their funding sources.

37. Humanitarian agencies are currently permitted only very limited access to the areas of displacement in eastern Zaire. This denies them a basis for detailed programming. Nor, given the security situation in the area, can any detailed assessments be undertaken at this time. At the same time, the plight of the affected population does not permit further delay in the mobilization of funds and the deployment of assistance. This must be provided through the most suitable and expeditious routes of access. The great majority of the humanitarian agencies believe that these conditions can be fulfilled only if the multinational force is deployed in a way that will ensure them the access they need and provide the necessary security for the transportation and distribution of relief supplies. They are concerned at the delays that have taken place and at indications that the mandate of the force may fall short of what was originally envisaged when resolutions 1078 (1996) and 1080 (1996) were adopted.

38. Meanwhile, the complexity of the situation and the continuing uncertainties in the region oblige the humanitarian organizations to adopt a high degree of flexibility in programming and in such implementation as is currently possible. They are, however, proceeding on the assumption that:

(*a*) Emergency relief, rehabilitation and reconstruction efforts will shift to areas inside Rwanda to a much greater extent than hitherto anticipated;

(*b*) The geographical area in which humanitarian assistance needs will have to be addressed is likely to be much wider than hitherto anticipated, extending westward into the interior of Zaire.

39. On 18 November, the Secretary-General launched a flash appeal requesting the international community to contribute $259.4 million to address the most immediate requirements in food, health, nutrition, water and sanitation, agriculture, coordination, logistics and communications in eastern Zaire and Rwanda. The appeal is for a three-month period and will be followed by a one-year inter-agency consolidated appeal to be launched in late January 1997. The flash appeal takes into account the 1996 inter-agency consolidated resource mobilization document, for which 80.6 per cent of funds had been received as at 4 November and from which initial stocks of supplies, material and equipment were purchased and the hiring of a number of staff was made possible to address the immediate situation. The Secretary-General is encouraged that nearly 30 per cent of this amount has been pledged so far.

40. The sudden and unexpected return puts a strain on two other aspects of assistance. The United Nations Human Rights Field Operation in Rwanda has a current strength of 107 human rights observers. It is of great importance that this should be quickly raised to the planned strength of 200 observers in order to cover larger areas of the country to which refugees are currently returning. It is estimated that by January 1997 an additional 100 human rights observers will also be required. The second issue concerns the transport of returnees from the border to their places of origin. Funds for this purpose will be required faster than initially anticipated. United Nations agencies are likely to need to call upon additional staff to assist with their respective programmes. One possible source will be the United Nations Volunteers programme, which has already provided valuable assistance in the Great Lakes region.

IV. Preparation of a humanitarian task force

41. As of the date of the present report, the nature, strength, composition, mandate and modus operandi of the multinational force envisaged under resolutions 1078 (1996) and 1080 (1996) are still under consideration by the Member States concerned. As long as the Member States involved in the discussions have not taken a final decision on all these matters, it would not be possible for the Secretary-General to present to the Council a detailed concept of operations for the proposed follow-on humanitarian task force. The situation since the adoption of the relevant resolutions by the Council has changed substantially and is still evolving rapidly. The mandate, structure and composition of the proposed humanitarian task force will depend, *inter alia*, on the tasks that the multinational force, if and when deployed, will have accomplished at the time of transition, the tasks that will remain to be carried out, the logistic support that the Member States participating in the multinational force will be prepared to transfer to the successor mission and the number of Member States that, having contributed contingents to the multinational force, will choose to continue to contribute to the humanitarian task force.

V. Observations and recommendations

42. Seldom have humanitarian problems been so closely intertwined with historical, political, sociological and legal considerations as in the Great Lakes region. As a result of the recent outbreak of military activity in North and South Kivu, the humanitarian situation is undergoing dramatic changes and is likely to continue to evolve rapidly in the coming weeks.

43. On the basis of the experience of the past two years, the international community has come to recognize that the presence of more than one million refugees on the borders of their country of origin constitutes a serious destabilizing factor for the entire region. The present situation in eastern Zaire, in all its complexity, may offer the international community a unique opportunity to address the roots of the problem that led to the establishment and perpetuation of the refugee camps there. This opportunity must not be missed, nor must the immediate humanitarian emergency be neglected. Hundreds of thousands of refugees have already returned to Rwanda and that is a most welcome development. However, hundreds of thousands more, in addition to large numbers of internally displaced Zairians, are still scattered in eastern Zaire without access to help from the international community. That must be our first priority. There must be no return to the status quo ante and above all no re-creation of the refugee camps in eastern Zaire. But we must at the same time work both on the smooth reintegration of returnees into their home communities and on a longer-term solution to the deep-rooted problems that turned them into refugees in the first place.

44. Advantage must therefore be taken of the recent events to encourage and assist bona fide refugees to return to their countries of origin and to make this possible in practical terms. The refugees must be assured that their repatriation will be carried out voluntarily, in safety and dignity and without the threat of extralegal reprisals. They must also be offered the prospect of reintegration into their country's economic and social life. This will involve initial rehabilitation, security, restoration of the returnees' property and community development.

45. The cooperation of the Government of Rwanda will be of special importance. What Rwanda needs at this time is a new beginning and a process of genuine reconciliation in which the legitimate interests of all Rwandan citizens are

adequately protected, so that they can work in harmony towards the social and economic reconstruction of their country. The strengthening of the existing United Nations Human Rights Field Operation in Rwanda, as proposed above, will contribute to this process by inspiring confidence in the returnees and in the donor community.

46. However, the immediate concern of the Secretary-General is the fact that hundreds of thousands of men, women and children are still facing hunger, disease and violent death, most of them scattered in inaccessible and inhospitable areas of eastern Zaire beyond the reach of those who can bring them help. Neither the United Nations system nor the non-governmental organization community have the capacity in such conditions to secure access to the refugees and displaced persons and to deliver to them the relief they need with the necessary speed. This is why the Secretary-General believes that a practical way to avoid a humanitarian disaster is the establishment of some form of military presence in the region.

47. As regards the political issues that underlie this humanitarian crisis, it may be necessary for the United Nations to increase its presence in the subregion, with the consent of the Governments concerned, in order to enhance its capacity to assist those Governments, if they so wish, in managing and resolving the complex of problems that are currently so threatening to their internal cohesion and to their relations with each other. As already mentioned, the Special Envoy of the Secretary-General has been asked to address this question and to make recommendations regarding the role of the United Nations in the subregion and the nature and structure of its future presence there.

48. The Secretary-General has asked his Special Envoy, Mr. Chrétien, who has been to South Africa to consult with President Nelson Mandela, to proceed to Cameroon to consult with President Paul Biya in his capacity as current Chairman of OAU. The Special Envoy has kept in close touch with the leaders of the region, with the Secretary-General of OAU and with the special representatives of other organizations and countries. One of his objectives has been to promote a direct dialogue between the leaders of Zaire and Rwanda, since the relationship between these two countries is crucial to the stability in the entire region. The Special Envoy of the Secretary-General has also held consultations regarding the proposal for an international conference on the Great Lakes region, which has been supported by the Security Council in several resolutions and presidential statements. As indicated earlier in the present report, the Special Envoy is expected to return to New York around 10 December 1996. The Secretary-General will report to the Council thereafter on his findings and recommendations.

DOCUMENT S/1996/998*

Report of the Secretary-General on the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala

[*Original: English*]
[*26 November 1996*]

1. The present report is submitted pursuant to General Assembly resolution 50/220 of 3 April 1996, in which the Assembly decided to authorize the renewal of the mandate of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) for a further period of 9 months and 13 days, that is until 31 December 1996, and requested me, *inter alia*, to keep the Assembly fully informed of the implementation of the resolution.

2. Since my last report on the activities of MINUGUA,[6] the peace process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) has made considerable headway. I have reported on a regular basis to the General Assembly on this progress, in particular in my latest report on the situation in Central America, which covered developments until September 1996.[7] In that report, I stressed the importance of the agreement on social and economic aspects and the agrarian situation, signed at Mexico City on 6 May 1996. Another major agreement was signed at Mexico City on 19 September 1996 namely the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society [*S/1996/853, annex*]. It contains a comprehensive set of provisions for the strengthening of democratic institutions in Guatemala, including the executive branch, the legislature and the judiciary. In the context of ending 35 years of armed conflict, it emphasizes in particular the need to overhaul the security functions of the State: under a reformed Constitution, the police are to be restructured, strengthened and consolidated in a new National Civil Police, which will assume responsibility for internal security; intelligence gathering activities are to be reorganized and regulated; and the army will limit its role to external defence and will adjust its doctrine, training, deployment, size and budget accordingly. The signing of the agreement has opened the way for the final phase of the negotiations, namely the consideration of the cluster of so-called "operative" issues, which include the definitive ceasefire, the reinsertion of URNG and the timetable for implementation and verification of the peace agreements.

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* Circulated under the double symbol A/51/695-S/1996/998.

3. In late October, as consideration of these issues began, the negotiating process was shaken by the news that a senior field commander of one of the four factions which make up URNG had been involved in the kidnapping of an elderly woman in Guatemala City. In addition to being a serious violation of the Comprehensive Agreement on Human Rights [*S/1994/448, annex I*], this action was in stark contradiction with the spirit that had characterized the peace process throughout the year and with the confidence-building measures pledged by both sides. The incident affected the process all the more severely as there is widespread outrage in Guatemala at the wave of kidnappings that has afflicted the country in recent months. On 29 October, in a public statement, I deplored the incident and its damaging consequences for the negotiating process and I called upon URNG to take the action necessary to restore conditions in which a final peace agreement could promptly be reached. Between 30 October and 7 November, the URNG leadership issued several public statements in which it acknowledged and lamented the involvement of URNG members in the kidnapping; offered, as a confidence-building measure, to suspend all armed propaganda activities and other acts that could affect the peace process; proposed that negotiations resume with priority being given to the negotiation of the definitive ceasefire; and announced that the leader of the faction to which the kidnapper had belonged would withdraw from the negotiating table. As a result, negotiations resumed at Mexico City on 9 November and the parties quickly reached an understanding about the substantive provisions of the agreement on the definitive ceasefire.

4. In view of the progress made, the two parties confirmed on 11 November that, as they had stated on 6 August, conditions existed to reach agreement on all pending items of the negotiating agenda by the end of December 1996. Specifically, they agreed to sign the agreement on a firm and lasting peace at Guatemala City on 29 December 1996. They have since adopted the following schedule for the signing of the remaining agreements: the agreement on the definitive ceasefire is to be signed at Oslo on 4 December 1996; the agreement on constitutional reforms and the electoral regime is to be signed at Stockholm on 7 December 1996; and the agreement on a basis for the reintegration of URNG into political life is to be signed at Madrid on 12 December 1996. The agreement on the timetable for the implementation and verification of the peace accords will be signed in Guatemala City on 29 December 1996 together with the agreement on a firm and lasting peace.

5. The progress made at the negotiating table has been accompanied by tangible progress in compliance with the Comprehensive Agreement on Human Rights. MINUGUA's fifth report[8] covered human rights verification and institution-building activities from 1 January to 30 June 1996. Its sixth report, covering the period from 1 July to 31 December 1996, will be issued in January 1997. MINUGUA has observed that since the informal cessation of military activities by the parties in late March 1996, there have been no military or civilian casualties related to the armed confrontation. In the context of this de facto cessation of the war and progress at the negotiating table, the Government has started a programme to disarm and demobilize the paramilitary "Voluntary Civil Defence Committees". Under the provisions of the agreement on the strengthening of civilian power and on the role of the armed forces in a democratic society, that programme is to be completed 30 days after the signing of the final peace agreement. It is also significant that during its first year in power the Government has made a major effort to combat crime, corruption and impunity and has removed from office or sanctioned a number of high-ranking officials who appeared to be involved in criminal activities.

6. While these initiatives demonstrate the Government's firm decision to fight impunity, they have also drawn attention to the gravity of the problem and the magnitude of the effort required to correct long-standing deficiencies in institutions entrusted with preventing, investigating, prosecuting and punishing crime and human rights abuses. In a situation in which respect for human rights is still precarious, the continuing efforts of President Alvaro Arzú's Government are to be commended and should receive full support from the international community.

7. The role of MINUGUA has evolved with the positive changes registered in Guatemala. Verification of complaints received has revealed specific weaknesses in the areas of the administration of justice and law enforcement and pointed to the need to strengthen the relevant institutions. Thus, the Mission has placed increasing emphasis on its institution-building role. In particular, there has been significant progress in pilot projects to improve the efficiency of, and access to, the administration of justice. Progress has also been made in assisting the legislative reform of the judicial system, which is to be implemented in 1997. The demand for participation in institution-building activities by non-governmental organizations has steadily increased. There continues to be very positive cooperation between the Joint Unit of MINUGUA and the United Nations Development Programme (UNDP) and the institutions and entities concerned. With its verification activities, its technical assistance and its nationwide deployment, MINUGUA has continued to be a key factor in the peace process throughout 1996.

8. Under the terms of section I of General Assembly resolution 50/216 of 23 December 1995, the Secretary-General had been authorized to enter into commitments in an amount not exceeding a monthly level of US$ 2,329,700 (net of staff assessment) in the event of an extension of MINUGUA beyond 31 March 1996. The total commitment thus authorized by the General Assembly for MINUGUA during its current period, between 1 April and 31 December 1996, amounts to $20,967,300 net ($22,704,800 gross).

9. As mentioned in paragraph 4 above, the parties have announced that the final peace agreement will be signed on 29 December 1996. On that day, the full package of peace accords will enter into force. This will represent a major challenge for the parties, in particular for the Government, which has most of the responsibility for implementation. It

will also represent a challenge to the United Nations, which was requested by the parties to the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of 10 January 1994 [*S/1994/53, annex*] and all subsequent agreements to carry out international verification of the peace accords. The international community will also be called upon to assist the parties in complying with their undertakings. The Secretariat and MINUGUA have been studying how verification can be most effectively carried out. Final recommendations regarding the mandate and structure of the verification mission cannot, however, be completed until all agreements, and in particular the agreement on the timetable for implementation and verification, have been signed.

10. As the package of peace agreements is not expected to be finalized until late December and the current mandate of MINUGUA expires on 31 December 1996, I recommend to the General Assembly that the mandate be extended for a further period of three months, that is, until 31 March 1997, during which time the Mission should be maintained at its current strength. This will allow time for the preparation of detailed recommendations on how the structure and staffing of MINUGUA should be redesigned to enable the Mission to fulfil its new responsibilities.

11. As regards the Mission's tasks, it is anticipated that the future agreement on the timetable for implementation and verification of the peace accords will provide for a number of urgent measures of implementation to be taken before 31 March 1997. These will fall outside the current mandate of MINUGUA, which relates exclusively to the implementation of the Comprehensive Agreement on Human Rights and the human rights aspects of the agreement on identity and rights of indigenous peoples. With the consent of both parties, I recommend that MINUGUA be authorized, on an exceptional basis, to verify implementation of all such urgent measures during this three-month period within its existing capabilities.

12. Verification of measures related to the agreement on the definitive ceasefire will also be required very soon after signature of the overall package of peace accords. This will involve the deployment of United Nations military personnel to verify the ceasefire, the separation of forces and the demobilization of URNG combatants.

DOCUMENT S/1996/1000

Progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III)

[*Original: English*]
[*2 December 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 24 of Security Council resolution 1075 (1996) of 11 October 1996, in which the Council, *inter alia*, requested me to report by 1 December 1996 on the progress made towards consolidating the peace process in Angola. It provides an update to my report dated 19 November 1996 [*S/1996/960*] and also covers developments in the human rights, humanitarian and socio-economic areas since my earlier report of 4 October 1996 [*S/1996/827*]. In addition, the report includes recommendations on the role the United Nations could continue to play in Angola, as well as plans for the downsizing of UNAVEM III's formed military units.

II. POLITICAL ASPECTS

2. With the support of the representatives of the three observer States (Portugal, the Russian Federation and the United States of America), my Special Representative, Mr. Alioune Blondin Beye, continued his consultations with the Angolan Government and the União Nacional para a Independência Total de Angola (UNITA) in order to ensure the timely implementation of the tasks enumerated in resolution 1075 (1996) and in the consolidated timetable approved by the Joint Commission.

3. On 21 November 1996, the Joint Commission reviewed the status of implementation of the tasks included in the consolidated timetable. The Commission took note of the efforts made by the parties to implement a number of these tasks, especially those related to military aspects, and urged both of them to exert additional efforts to fulfil all their commitments.

4. The Joint Commission will soon consider the proposals made by the Government and UNITA on the special status for the leader of the largest opposition party. It is hoped that the Government and UNITA will be able to reach an agreement on this important issue in conformity with the letter and spirit of the Lusaka Protocol [*S/1994/1441*]. It is also hoped that the political tensions which emerged following the recent revision of the Constitution [*see S/1996/960, para. 5*] will not cause further delays in the peace process. In my message to the Angolan people on the occasion of the second anniversary of the signing of the Lusaka Protocol on 20 November 1994, I stressed the imperative need to accelerate the pace of implementation of the provisions of the Protocol.

III. MILITARY ASPECTS AND GENERAL SECURITY SITUATION

5. Since my last report to the Security Council, the temporary upward trend in the number of ceasefire violations has gone into reverse. Among the contributing factors was

the withdrawal of Government forces from several locations in Huila, Benguela, Bié and Lunda Sul provinces which they had taken over during the last two months. In the meantime, the transport of UNITA troops from Cabinda to a mainland quartering area was completed on 19 November 1996. However, the pulling back of Angolan Armed Forces (FAA) from two forward positions in the Lundas is still pending.

6. As of 28 November 1996, 69,093 UNITA troops had been registered in 15 quartering areas; 13,115 of these troops had subsequently deserted, and a total of 29,698 personal weapons and 4,521 crew-served weapons had been handed over by the quartered soldiers. Some 18,738 of the expected 26,300 UNITA troops had been selected for incorporation into FAA and the pace of this exercise has accelerated since the Government lifted strict age and education criteria for selection. In the meantime, demobilization resumed (still mostly of under-age soldiers), with 629 troops released from the quartering areas. After many months, however, most of the UNITA fighters still remain in the quartering areas, thereby placing an additional financial burden on the international community and depriving the country of much-needed resources for reconstruction. The protracted presence of these troops in the camps could also have serious repercussions on security. The Government has not yet initiated the actual incorporation of these UNITA troops into FAA, nor has it incorporated the nine UNITA generals who have been waiting in Luanda for over a month to join FAA.

7. After several weeks of procrastination, UNITA allowed UNAVEM III to remove weapons discovered in an arms cache in Negage, but the United Nations is still awaiting a declaration by UNITA that it has assembled all its troops and handed over all weapons. In the meantime, the dismantling of illegal checkpoints has proceeded, contributing considerably to the free circulation of people. However, approximately 77 checkpoints (many operated by the Government police) are still maintained throughout the country. UNITA also declared that it has phased out its regional command structures and this is now being verified by the United Nations. In sum, while considerable progress has recently been achieved on the military front, some of the tasks enumerated in resolution 1075 (1996) and in the consolidated timetable approved by the Joint Commission were not fulfilled by the 15 November deadline. It is now hoped that they will be completed by early December at the latest.

8. The security situation remains volatile in many parts of the country. In recent weeks, dozens of civilians have been attacked, often in highway ambushes, and killed by unidentified gunmen. Some of these crimes were perpetrated near assembly areas, and UNAVEM is conducting investigations to identify the culprits. On the positive side, there have been no major cases during the reporting period of harassment of UNAVEM personnel who, among other tasks, are increasingly involved in the verification of areas recently vacated by UNITA forces. This is being done with a view to ensuring the orderly, gradual and peaceful transition of these areas to the State administration.

IV. Police and human rights aspects

9. As of 28 November 1996, 3,860 out of the expected 4,962 UNITA police personnel had been moved to quartering areas where they are being duly processed. So far, 2,345 different types of weapons and 3,550 rounds of ammunition have been surrendered. It is envisaged that the selection of UNITA personnel for incorporation into the Angolan National Police (ANP) and the rapid reaction police will begin simultaneously in all quartering areas immediately after completion of the registration of all the declared UNITA police. The recruited personnel will then undergo a three-month training programme. In the meantime, the selection of 212 UNITA personnel for training and induction into the ANP as bodyguards for UNITA leaders has been finalized.

10. After an interruption of several weeks, the disarming of the civilian population by the Government has resumed, and 99 crew-served weapons, 2,398 firearms of various types and 15,328 rounds of ammunition had been collected by 28 November. All the above activities have been extensively monitored and verified by the United Nations civilian police component.

11. At the same time, UNAVEM III has continued its public awareness campaign and other activities to promote respect for human rights. Some of these public education programmes were aimed at restoring confidence and dialogue between the representatives of the Government and UNITA at various levels and at fostering national reconciliation; one such programme was launched in Benguela Province in October. Similarly, with the assistance of Sweden, the Government began human rights training for selected personnel to serve in provincial institutions, as well as for civic education monitors in Bié, Menongue and Huíla provinces. These activities have often encouraged the local population to organize themselves into human rights committees, the most recent of which was set up in Uíge Province. As of 28 November, 57 allegations of human rights violations had been submitted to UNAVEM III and were investigated by its human rights and Civilian Police (CIVPOL) units. This important issue, together with those of governance, public accountability and capacity-building in the law and order field, deserve increased attention in the present phase of the peace process. I wish to express my appreciation to the European Union for its generous contribution of the services of human rights experts and, in particular, for the recent renewal of their contracts until February 1997. I very much hope that their services will be made available beyond that date.

V. Humanitarian aspects

A. *Relief and rehabilitation*

12. During the reporting period, United Nations humanitarian activities continued to concentrate on the expansion of programmes to newly accessible areas and on the return of internally displaced persons to their areas of origin. Limited rehabilitation activities also continued throughout

the country in order to encourage the return of the displaced and to assist local communities with the provision of basic services. Reports indicate that approximately 25,000 internally displaced persons have received assistance in returning home from non-governmental organizations (NGOs), the United Nations and the International Organization for Migration (IOM). However, military roadblocks, banditry and other impediments to the free circulation of people and goods continue to hamper humanitarian efforts and discourage the movement of displaced persons, particularly in Huambo, Huíla, Malange, Moxico and Uíge provinces. Over 1 million internally displaced persons, concentrated mainly in urban or peri-urban areas, will thus continue to rely on humanitarian assistance until conditions are established for their return.

13. The current distribution of seeds and tools by humanitarian organizations is now in its final stage and has benefited 530,570 families, with most of the materials having already been delivered at the village level. As a result of the efforts of the United Nations in the rehabilitation of roads and bridges and in demining, the World Food Programme (WFP) was able to deliver 85 per cent of the seeds by road, thus economizing on transport costs.

B. *Mine clearance and road rehabilitation*

14. Under the coordination of the United Nations Central Mine Action Office, the mine awareness campaign and mine survey and clearance throughout the country continued to be conducted by the Angolan demining brigades, which are trained and supported by UNAVEM III, the United Nations-contracted company MECHEM and specialized NGOs operating in nine provinces. Unfortunately, UNITA has not yet given its clearance for the demining of the Malange-Kuito road, which is the only major route in Angola still closed to traffic. Accidents resulting in serious injuries to deminers occurred during NGO demining operations in the localities of Caxito, Luena and Menongue. As a result, an international NGO ceased operations in Cunene Province, but two new international NGOs introduced plans for survey and demining operations in support of WFP in Bengo and Benguela provinces.

15. With support from UNAVEM III and the Humanitarian Assistance Coordination Unit, the Angolan National Institute for the Removal of Unexploded Ordnance (INAROE) has now established four regional headquarters and deployed six demining brigades, each with a strength of approximately 65 personnel. However, only three of the brigades are fully operational. Plans to deploy an additional two brigades by the end of 1996 have been postponed, owing primarily to a shortage of international supervisors and a lack of critical equipment. INAROE, with a trained workforce of over 350 deminers, is now the largest single demining organization in Angola, but it continues to rely on the United Nations for assistance in training and management and for logistic support. A two-year plan for the development of Angola's national demining capacity will commence in January 1997 under the auspices of the United Nations Development Programme (UNDP) and the Department of Humanitarian Affairs. As part of this exercise, and pursuant to the recommendation contained in paragraph 22 of my report of 4 October 1996 [*S/1996/827*], UNAVEM III is considering the transfer of its demining equipment to the UNDP/Department of Humanitarian Affairs project. In my next report, I will inform the Security Council of the details of this transition plan, as well as of the phase-out strategy for UNAVEM III military personnel who are currently involved in demining activities in this programme.

C. *Assistance to quartering areas*

16. United Nations agencies and NGOs continue to provide humanitarian assistance and civic training to some 54,000 UNITA troops still remaining in quartering areas and to more than 100,000 of their dependants in satellite camps. So far, over 200,000 medical examinations and follow-up treatments have been carried out among quartered soldiers. At the same time, special programmes to address severe malnutrition, trypanosomiasis and tuberculosis were conducted in those areas most affected by these diseases.

17. The duration of quartering well beyond the timeframe set out in the Lusaka Protocol poses a serious challenge to international humanitarian organizations and to the sustainability of the peace process. It is therefore imperative that demobilization commence in earnest and that the quartering areas be converted into demobilization centres under the responsibility of the Government of Angola.

D. *Demobilization and reintegration*

18. Approximately 100,000 ex-combatants from the Government and UNITA armed forces are expected to be demobilized. However, as indicated in paragraph 6 above, to date only several hundred under-age soldiers have been returned to their areas of origin. All received the necessary discharge documents as well as the demobilization benefits provided by the Government and the international community. However, serious difficulties arose as a result of repeated violations by UNITA officials of the soldiers' right to choose freely where they would be resettled. The irregular disbursement by the Government of the special subsidy for demobilized soldiers also impeded the smooth implementation of this exercise.

19. On 11 October 1996, in cooperation with the Humanitarian Assistance Coordinating Unit and United Nations agencies and programmes, UNAVEM III finalized a United Nations operational support plan for demobilization. In particular, the plan articulates UNAVEM III's exit strategy from the quartering and demobilization phases and envisages the Mission's involvement in recommending safe routeings for convoys carrying demobilized soldiers and their families. In special cases UNAVEM III military and police observers will accompany the convoys. However, the main responsibility for the safe transport of demobilized soldiers and their dependants lies with the Government.

20. Meanwhile, the Technical Ad Hoc Working Group of the Joint Commission for Demobilization and Reintegration is finalizing a plan of action for the demobilization of war-disabled soldiers and other personnel not eligible for induction into FAA. Through a UNDP-financed programme for the rehabilitation of former combatants, counselling and referral offices will be established in 13 provinces by the end of November 1996. Linked to this, quick-impact projects for ex-soldiers are being developed with the assistance of national and international NGOs. While donors have already committed approximately US$ 10 million to such projects over the past six months, at least another $15 million will be required during the next year if adequate assistance is to be provided to all the ex-soldiers. In addition, a total of $19 million is needed to extend humanitarian activities in quartering areas until January 1997, when it is expected they will be converted into demobilization centres.

VI. Socio-economic aspects

21. During the reporting period, Angola continued to be confronted with severe economic conditions. The current economic situation is characterized by a near stagnant production sector (except for petroleum), continued infrastructural deterioration, a high budget deficit and an annual rate of inflation which exceeded 3,000 per cent. Excessive expansion of credit, leading to a massive growth in the money supply, and increasing commercial speculation are other hallmarks of the present state of the Angolan economy. Civil service wages and salaries remain very low. The rate of unemployment is currently estimated at 45 per cent, while over 60 per cent of the population subsists below the poverty level.

22. With the launching of the "Programa Nova Vida" (New Life Programme) in June 1996, the Government began to adopt urgent measures to address the fundamental causes of the deterioration of the economy. It has also been keen to enforce discipline and increase transparency in the management of State resources and to introduce new methods of management. Since June 1996, there has been a decline in the monthly rate of inflation, from 84 per cent in May 1996 to 5 per cent in September. The foreign exchange rate has remained stable for more than three months, which is a noteworthy achievement. Other major economic developments include the adoption of a Government decree to end the commercial banking operations of the Central Bank and the tightening of credit on private borrowing. Interest rates are being adjusted on a regular basis to compensate for inflation. The Government is currently undertaking only those expenditures which have been approved by the Cabinet within a revised and more realistic budget.

23. As a follow-up to the recent visit to Angola of the Managing Director of the International Monetary Fund, Mr. Michel Camdessus, a team from the Fund has arrived in Luanda and initiated a series of discussions with the Government in order to design economic reform programmes. An emergency programme for six months, supported by an emergency operation fund, is foreseen. This would be followed by a three-year structural adjustment programme which would be supported by a World Bank adjustment operation and be in synergy with the relief and rehabilitation activities of the United Nations system. The team will also work with the Government in preparing the 1997 budget with a view to reducing the budget deficit.

24. The Community Rehabilitation Programme (CRP), which was prepared with the assistance of UNDP, emphasized three key targets over the last quarter: institutional reinforcement, project identification and selection, and data collection and analysis. Within the framework of the UNDP capacity-building programme, the CRP has placed key technicians and equipment in the Central Technical Support Unit in the Ministry of Planning in Luanda and the provincial directorates of planning in Huambo, Uíge, Malange and Benguela. In the meantime, numerous projects have already been identified for financing under the CRP, ranging from small educational programmes to community production centres. Two of the projects, Reintegration of Demobilized Soldiers and Vocational Training for Ex-Combatants, are being supported by UNDP as well as through Trust Fund contributions.

25. In an effort to coordinate various rehabilitation efforts, a comprehensive data collection project has been initiated. A report issued recently by UNDP provides information on nationwide donor interventions. The document discusses more than 30 projects at various stages of execution which are being supported by the development partners under the umbrella of the CRP and provides valuable information on financing mechanisms.

VII. Financial aspects

26. Pursuant to General Assembly resolution 50/209 B of 7 June 1996, the revised budget for the maintenance of UNAVEM III for the period after 1 July 1996,[9] which takes into account the withdrawal of four infantry and support units by the end of December 1996, has been submitted to the General Assembly for consideration at its current session. The reduced cost of maintaining UNAVEM III is now estimated at $25,452,733 gross ($24,953,130 net) per month beginning 1 January 1997. Should the Council decide to extend the mandate of UNAVEM III, as recommended in paragraph 34 below, the cost of maintaining the Mission during the extension period will be within the monthly rate indicated above, subject, of course, to the approval of the new budget by the General Assembly.

27. As at 25 November 1996, unpaid assessed contributions to the UNAVEM special account for the period since the inception of the Mission amounted to $138.8 million. At the same time, the total outstanding assessed contributions for all peacekeeping operations was $1,741.3 million.

VIII. Observations

28. The second anniversary of the signing of the Lusaka Protocol was commemorated on 20 November 1996. During the past two years, the country has lived in relative peace. Substantial progress has recently been made in carrying out

the major tasks outlined in Security Council resolution 1075 (1996). Implementation of the Lusaka Protocol nevertheless continues to proceed in fits and starts, often only after increased pressure has been applied on the parties. This unsatisfactory state of affairs cannot continue, and in my report of 19 November [*S/1996/960*], I dealt with the most pressing tasks which must be completed without further delay.

29. It is certainly possible—and indeed it is imperative—for the parties to carry out all their obligations in the consolidated mediation timetable before the expiration of the present mandate of UNAVEM III on 11 December 1996. This would enable my Special Representative to concentrate on resolving the key outstanding political issues. I therefore appeal to the Government and UNITA to resolve the issue of the return to Luanda of UNITA deputies to the National Assembly, to establish the Government of National Unity and Reconciliation, and to reach agreement on the special status of the leader of the largest opposition party before 1 January 1997. Further procrastination in resolving these issues may negatively affect both the peace process and the willingness of the international community to maintain its extensive involvement in Angola.

30. As of 28 November 1996, UNAVEM III had 7,003 military personnel of all ranks, including 341 military observers, deployed at over 70 locations throughout Angola. Six infantry battalions, as well as numerous military support units, have been stationed in six major areas of operation in Angola (*see map at the end of the present volume*). Their presence, together with that of the civilian police observers and other United Nations components. has had a positive effect on the military and political situation. However, I am also mindful of the financial burden that UNAVEM III, as the largest current United Nations peacekeeping operation, imposes on the Member States. The withdrawal of four UNAVEM III military, support and infantry units has therefore been initiated, and I intend, as we approach the end of the two-year period foreseen in resolution 976 (1995) for the completion of this operation, to plan for the gradual and progressive withdrawal of the Mission. At the same time, I am aware that several crucial tasks of the peace process are far from complete and that Angola will continue to need the stabilizing presence of United Nations forces.

31. Against this background, I recommend that the withdrawal of UNAVEM III military units resume in February 1997, with a view to a complete drawdown within a period of six to seven months. Having consulted my Special Representative, it is my intention to repatriate by mid-June 1997 four of the six UNAVEM III infantry battalions, together with additional support units and some military headquarters personnel, with the remainder of the formed units to be repatriated by the end of July or August 1997. At the same time, I believe that a rapid reaction force should be retained, comprising six company-sized infantry groups, one of which would be deployed in each of the operational regions of Angola until completion of the withdrawal of all military contingents, unless the political and security conditions permit a more expeditious drawdown. This rapid reaction force would provide a basic safety net to allow other United Nations components to function effectively and to help maintain the much-needed confidence between the Angolan parties.

32. Implementation of the overall plan for withdrawal of the formed units would also need to take account of the extent of completion of the most essential military tasks, such as the closure of the quartering areas, demobilization and effective integration and functioning of FAA and the police which, together with the extension of State administration, should gradually re-establish Government authority over the whole national territory.

33. In order to conclude the implementation of the tasks contained in the Lusaka Protocol and to consolidate the gains made so far in the peace process, a continued but substantially scaled-down presence of the United Nations in Angola will be required after February 1997. At the same time, the activities of the Mission will be increasingly concentrated on political, police and human rights monitoring, vital humanitarian activities including demining, as well as public information programmes and logistic support to the whole Mission. I intend to elaborate on these tasks in my next report to the Security Council and to make recommendations on the mandate, structure and size of a follow-up United Nations presence after the withdrawal of the bulk of UNAVEM III's formed military units.

34. In the meantime, and having in mind the considerations presented above, I recommend that the present mandate of UNAVEM III be extended until 28 February 1997.

35. The demobilization of tens of thousands of troops and their reintegration into civilian society are among the most critical challenges under the Lusaka Protocol. As a result of continued delays in the demobilization phase, humanitarian assistance to quartered personnel will have to be provided for a much longer period than was initially expected. I appeal to donors to provide additional resources to support these vital tasks as well as the programmes for the subsequent demobilization of soldiers which are expected to gain momentum in the coming weeks. Rehabilitation of rural communities is also an important aspect of the overall peace effort. Significant resources are needed to assist the large number of refugees, displaced persons and former combatants in resettlement areas. To this end, I strongly urge the donor community to fulfil the pledges they undertook at the 1995 Brussels Round Table Conference.

36. Finally, I would like to pay tribute to my Special Representative, to all civilian, military and police staff of UNAVEM III, as well as to the personnel of United Nations humanitarian programmes and agencies and international NGOs for their remarkable dedication and unfailing efforts in support of the consolidation of the peace process in Angola.

DOCUMENT S/1996/1003

Letter dated 4 December 1996 from the representative of Tajikistan to the Secretary-General

[*Original: Russian*]
[*4 December 1996*]

I have the honour to transmit herewith the text of a statement issued by the Government of the Republic of Tajikistan on 2 December 1996.

I should be very grateful if you would have this text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Rashid ALIMOV
Permanent Representative of the Republic of Tajikistan to the United Nations

ANNEX

Statement issued on 2 December 1996 by the Government of the Republic of Tajikistan

Despite all the efforts by the leaders of the Republic of Tajikistan to resolve the issues of the inter-Tajik conflict and the strict observance on their part of the conditions of the Tehran agreement and other agreements, the situation in the Pamir region of the Republic of Tajikistan remains tense because of systematic illegal actions by the armed opposition.

Thus, on 1 December 1996, armed formations of the intransigent opposition perpetrated a barbaric attack against the town of Garm. As a result there are numerous casualties amongst the civilian population. The incident is the latest violation of the ceasefire agreement and poses a serious threat to the continuation of the peace talks.

The Government of the Republic of Tajikistan, firmly condemning the terrorist methods used by the armed opposition, declares in all responsibility that in the event of a continuation of the escalation of tension in the areas concerned, it will be forced to take appropriate steps.

The Government of the Republic of Tajikistan, in making this statement, calls on the United Nations to make an appropriate assessment of these facts and take the necessary steps to promote a ceasefire and a peaceful settlement of the inter-Tajik conflict.

DOCUMENT S/1996/1010

Report of the Secretary-General on the situation in Tajikistan

[*Original: English*]
[*5 December 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 10 of Security Council resolution 1061 (1996) of 14 June 1996, in which the Security Council requested me to report to it every three months on the progress towards a comprehensive political settlement of the conflict and on the operations of the United Nations Mission of Observers in Tajikistan (UNMOT). It provides an account of developments since my last report of 13 September 1996 [*S/1996/754*].

II. MAINTENANCE OF THE CEASEFIRE AND ACTIVITIES OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

2. The situation in Tajikistan during this period was marked by a fragile ceasefire in the Karategin Valley and sporadic fighting in the Tavildara sector, tensions in and around Dushanbe and along the Tajik-Afghan border, primarily in the Kalai-Khumb sector. In the rest of the country, the situation was relatively calm. This lasted until the end of November, when the situation deteriorated drastically following attacks by the opposition in the area of Garm.

3. At the time of my report of 13 September, the opposition had taken control of the Karategin Valley from Garm to the Kyrgyz border, while government forces had been reinforced east of Dushanbe to counter the opposition's advance, and the opposition in its turn concentrated its fighters in Komsomolabad in preparation for a confrontation. In an effort to defuse the situation, the Joint Commission, supported by UNMOT, arranged for a high-level government delegation to enter into direct negotiations with opposition field commanders in the valley. On 16 September, an agreement was signed by the two sides providing for a number of confidence-building measures, including the reinstatement of the local authorities in local administration and freedom of movement for unarmed opposition members in the area. The Karategin agreement led to a substantial improvement in the situation. It was observed, with only minor violations, until it broke down on 1 December when the opposition retook Garm by force.

4. The ceasefire in the Karategin Valley also had a calming effect on the situation in the Tavildara sector, where efforts to engage in similar negotiations were initiated. The Karategin agreement, however, was never fully endorsed by the United Tajik Opposition (UTO) leadership and, for the negotiation on Tavildara, it insisted on dispatching a special delegation from Taloqan. While UNMOT and the Joint Commission were still trying to finalize arrangements for the delegation's travel, the opposition advanced in the

Tavildara sector and, on 2 November, took Kalai-Hussein and Sagirdasht. This development had a negative impact in the Karategin Valley as tensions rose, both sides accusing the other of violations. In the third week of November, fierce fighting ensued in the Tavildara sector as the Government attempted to retake Sagirdasht, without success. At the time of reporting, government forces have been reinforced at the Khaburobot mountain pass, while UTO forces consolidated their position around Sagirdasht.

5. On 24 October, the opposition detained 37 members of the government militia (police) in the village of Shodmoni, close to Komsomolabad, conditioning their release on the Government's removal of seven new checkpoints allegedly established in contravention of the Karategin agreement. The Joint Commission and UNMOT engaged in intensive negotiations, seeking the unconditional release of the militiamen from the opposition and the removal of government checkpoints. On 8 November, the opposition released the militiamen in exchange for four UTO members in government custody. At the same time, the opposition continued to insist on the removal of the checkpoints.

6. On 26 November, UNMOT learned about government operations against opposition groups at Teppei-Samarkandi, some 18 kilometres east of Dushanbe. Repeated efforts by UNMOT to go there were thwarted by government forces, who sealed off the area.

7. In mid-November, the Karategin agreement showed signs of unravelling, as the opposition took control of the town of Komsomolabad. On 29 November, the opposition launched an attack on a government checkpoint at Chorsada, near Komsomolabad. On the morning of 1 December, the UNMOT team in Garm reported heavy fighting in that town, following an attack by the opposition in which it captured the main government building, the post office, and the buildings of the Ministries of Security and the Interior. In the early afternoon, the government forces carried out air attacks against the centre of Garm. At that point, the UNMOT team was relocated to Tajikabad for security reasons. The fighting resulted in numerous casualties and a large outflow of the local population. When the UNMOT team returned to Garm the following day, it observed opposition positions equipped with anti-aircraft machine-guns in Garm and Tajikabad. At the time of writing, the opposition controlled the area between Jirgatal and Komsomolabad. Government forces were still deployed at Garm airport but were surrounded by opposition troops.

8. Throughout 1 December, Mr. Merrem, my Special Representative for Tajikistan, was repeatedly in touch with the Government and with Mr. Abdullo Nuri, leader of the UTO. Mr. Nuri denied knowledge of the attack and said that he would order it to stop. The opposition field commanders did not receive such an order; in any event, the opposition forces continued to press their attack.

9. On 2 and 3 December, Mr. Merrem continued his intensive efforts to contain the situation, bearing in mind that a meeting between President Emomali Rakhmonov and Mr. Nuri was scheduled to take place within a few days, on 9 December. On 3 December, an UNMOT team on patrol between Dushanbe and Chorsada was forcibly detained by government soldiers, beaten and its equipment taken. The team came close to being killed during its detention. They were released amid gunfire towards the Hakimi Valley from where they were able to reach Garm with the assistance of opposition fighters. In view of the lack of security, they are returning to Dushanbe via Kyrgyzstan together with the UNMOT GARM team. UNMOT has strongly protested to the Government, which apologized for the incident and promised that the culprits would be identified and dealt with.

10. The Tajik-Afghan border area was also tense, particularly in the Kalai-Khumb and Vanj sectors. Several attempts by small groups of opposition fighters to infiltrate from Afghan territory into Tajikistan were repulsed by the Russian border forces shelling across the border. UNMOT was informed by the Commander of the Russian border forces of an agreement with the Afghan border authorities barring UTO fighters from a strip 25 kilometres wide on the Afghan side of the border. The agreement grants the Russian border forces the right to enter this exclusion zone in "hot pursuit" of opposition fighters.

11. In Dushanbe, terrorist activities continued to occur, targeting mainly Russian military personnel. On 19 November, a Tajik Ministry of Defence officer of Russian origin was murdered; that same evening, the wife of a Russian serviceman was abducted. Her fate is still unknown. On 20 November, two Russian servicemen from the Peacekeeping Forces of the Commonwealth of Independent States (CIS) were seriously wounded in an attack by unidentified gunmen. On 22 November, a bus belonging to the Russian border forces was attacked with anti-tank rockets and small arms fire, causing one death and wounding several. In the ensuing fight, which lasted 40 minutes, Tajik and Russian soldiers captured four suspects. No one has claimed responsibility for any of these acts.

Joint Commission

12. The Joint Commission was very active, defusing tensions between government and opposition forces on the ground. The two Co-Chairmen were instrumental in achieving the 16 September agreement on a ceasefire in the Karategin Valley, there significantly defusing tensions in the area. They were active in promoting the implementation of the agreement, and in maintaining a channel of communication between the Government and the opposition.

13. In mid-September 1996, the Joint Commission addressed a statement to both the President of the Republic and the UTO leader, appealing for mutual trust and the creation of conditions conducive to the implementation of the Ashgabad agreement and the process of national reconciliation. UNMOT continued to support the work of the Joint Commission, conducting joint patrols and facilitating its meetings with the Government and opposition.

Liaison

14. UNMOT maintained close contact with the Government of Tajikistan and with the leadership of UTO. It also maintained regular contact with the Russian border forces and the CIS Peacekeeping Forces, both at headquarters level and in the field. It also cooperated closely with the Organization for Security and Cooperation in Europe (OSCE). It maintained close liaison with other United Nations agencies and with non-governmental organizations, staying in regular contact to facilitate needs identification and the provision of humanitarian assistance.

Freedom of movement

15. Restrictions on UNMOT's freedom of movement were imposed on a few occasions both by the Government and the opposition. On two occasions, on 30 September and 4 October, an UNMOT team was stopped at an opposition checkpoint at the village of Karasagur near Garm, harassed and physically assaulted, and shot at. UNMOT protested in writing to the UTO leadership, receiving assurances that the incident would not be repeated.

Organizational aspects

16. As of December 1996, UNMOT had an overall strength of 96, including 44 military observers from Austria (5), Bangladesh (7), Bulgaria (6), Denmark (4), Jordan (6), Poland (3), Switzerland (5), Ukraine (3) and Uruguay (5), and 33 civilian staff, of whom 20 were recruited internationally. Brigadier-General Hasan Abaza (Jordan) served as Chief Military Observer.

17. In addition to its headquarters in Dushanbe, UNMOT maintained eight team sites, in Kurgan-Tyube, Moskovskiy, Pyandzh, Tavildara, Kalai-Khumb, Vanj, Khorog and Garm. On 1 November, UNMOT opened a liaison office in Taloqan, northern Afghanistan, for the purpose of maintaining direct liaison with the leadership of the opposition based there (*see map at the end of the present volume*).

Financial aspects

18. The General Assembly, by its resolution 50/238 of 7 June 1996, appropriated $7,478,900 gross for the maintenance of the Mission for the period from 1 July 1996 to 30 June 1997. Therefore, should the Security Council decide to extend the mandate of UNMOT beyond 15 December 1996, the cost of maintaining the Mission is estimated at $623,242 gross per month, assuming continuance of its existing strength and responsibilities.

19. As at 30 November 1996, unpaid assessed contributions to the Special Account for UNMOT since the inception of the Mission through 15 December 1996 amounted to $1,019,418, which represents some 6 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.7 billion.

20. In the absence of new voluntary contributions, the trust fund established pursuant to Security Council resolution 968 (1994) in support of the work of the Joint Commission will be depleted by 31 December 1996. Member States are urged to contribute to the fund.

III. NEGOTIATING PROCESS

21. The negotiating process has been at a standstill since July, although both parties had agreed during the last round of talks in Ashgabat to resume them in mid-August and to concentrate on key political issues. The UTO delegation, as it has in the past, put forward a demand for changing the venue from Ashgabat to Tehran, despite the previous understanding that the talks would be conducted in a continuous round and in one place. Given the rapidly deteriorating situation and continuing disagreement on the venue, the two parties reacted positively to the proposal of my Special Representative to hold a meeting between President Rakhmonov and UTO leader Nuri, which would unblock the negotiating process and provide essential guidance to both delegations in subsequent rounds of talks.

22. In mid-September 1996, my Special Representative had consultations with President Rakhmonov in Dushanbe and UTO deputy leader Himmatzodah in Islamabad on substantive and organizational aspects of arranging the meeting of the two leaders. In addition, he had meetings with the Foreign Ministers of the Russian Federation (in Moscow), Kazakstan (in Almaty), Pakistan (in Islamabad) and Afghanistan (in Kabul) on issues related to the inter-Tajik political process. As a result, President Rakhmonov and Mr. Nuri agreed to meet in Moscow on 16 and 17 October, preceded by a preparatory working meeting of experts in Tehran.

23. The preparatory meeting in Tehran took place from 9 to 17 October 1996 and centred on the preparation of a draft agreement to be signed by the two leaders during their meeting in Moscow. Notwithstanding unresolved problems, the two sides made considerable progress in addressing the core political issues. Compromise formulas were agreed upon in the draft on several important points, including:

(*a*) A joint vision for the future State and society of Tajikistan, reflected in the preamble;

(*b*) The creation of a Commission on National Reconciliation, an authoritative body with defined responsibilities and powers;

(*c*) The duration of a transitional period (12-18 months);

(*d*) A target date for the conclusion of the inter-Tajik negotiating process (1 July 1997);

(*e*) Extension of the ceasefire for the entire duration of the negotiating process;

(*f*) The creation of a Consultative Forum of the Peoples of Tajikistan;

(*g*) A comprehensive amnesty through mutual forgiveness;

(*h*) A comprehensive exchange of prisoners of war and detainees.

Regrettably, the draft agreement was not finalized and the meeting between President Rakhmonov and Mr. Nuri in Moscow did not materialize, as had been agreed previously, owing to delays, mainly by the opposition side.

24. Following the inconclusive preparatory meeting in Tehran, President Rakhmonov and Mr. Nuri exchanged letters on the subject and, once again, reiterated their willingness to meet in Moscow, informing my Special Representative of this. In subsequent meetings of my Special Representative with Mr. Nuri in Tehran from 22 to 25 November and with President Rakhmonov in Dushanbe, an agreement was reached to hold a preliminary meeting between President Rakhmonov and Mr. Nuri on 9 December in northern Afghanistan. An agreement in principle was also reached on their subsequent meeting in Moscow in late December, preceded by preparatory negotiations of high-level experts of the two sides in order to complete work on the draft agreement. Both leaders agreed that my Special Representative would decide on the venue for this preparatory meeting.

25. However, given the serious deterioration of the situation in the country in the last few days, as described above, the prospects for the meeting between President Rakhmonov and Mr. Nuri, scheduled for 9 December in northern Afghanistan, and for subsequent preparatory talks and the meeting of the two leaders in Moscow seem increasingly uncertain at the time of writing.

IV. HUMANITARIAN AND REHABILITATION ACTIVITIES OF THE UNITED NATIONS SYSTEM

26. The overall humanitarian situation in Tajikistan has remained critical. A dramatic deterioration of the social and industrial infrastructure and a sharp decline in the provision of social, health and education services, lack of heating fuel for hospitals, schools and homes, and a sharp drop in the real income of most families have combined to render large sectors of the population in Tajikistan unable to meet even their basic food needs. The increasing number of internally displaced persons forms a special category of people who receive emergency aid from the International Committee of the Red Cross (ICRC), but are in dire need of further assistance.

27. In view of the worsening humanitarian situation, I requested the Department of Humanitarian Affairs to lead an inter-agency mission to assess the humanitarian situation and prepare recommendations on the most appropriate response of the United Nations system. The mission found that Tajikistan was faced with a situation of widespread need, with a number of pockets of acute humanitarian crisis, and recommended that the international community be alerted to the urgent need for relief. The United Nations consolidated inter-agency donor alert on urgent humanitarian needs in Tajikistan was launched in November 1996. It calls for approximately $22 million to meet urgent needs in Tajikistan for the period from December 1996 straight to May 1997. With the support of Member States, the donor alert envisages, *inter alia*, activities to address the issue of landmines and to strengthen field-level coordination of humanitarian assistance through the re-establishment of a Department of Humanitarian Affairs Field Coordination Unit in the Office of the United Nations Resident Coordinator.

28. The extent of the landmine problem in Tajikistan has prompted the proposal of a project on the creation of a Mine Action Centre. The Centre will develop a detailed Mine Action Plan to set up an information management system to support data collection, analysis and distribution, in order to provide the data for adequate mine-awareness training and planning of eventual humanitarian mine clearance, and to coordinate, support and develop mine-awareness training of the population, including in UTO-controlled areas, of relevant governmental bodies, UNMOT, other United Nations agencies and non-governmental organizations. After a political solution to the conflict is attained, additional objectives will be to develop and implement all the necessary components in achieving a governmental, prioritized mine-clearance programme coordinated with the international humanitarian assistance and rehabilitation efforts.

29. In the period covered by the present report the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP) were represented in Tajikistan by established offices as were also the International Monetary Fund (IMF) and the World Bank. In addition, the World Health Organization (WHO) maintained a local liaison officer. The United Nations Population Fund (UNFPA) continued implementing programmes supported by a National Programme Officer attached to UNDP. Programme-related visits were undertaken by other United Nations agencies represented regionally elsewhere in Central Asia, such as United Nations International Drug Control Programme in Tashkent and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Almaty. Furthermore, the International Organization for Migration (IOM) which has signed a cooperation agreement with the United Nations also maintained an office in Tajikistan.

30. WFP manages the single largest humanitarian assistance operation in Tajikistan and coordinates all food aid to the country. Currently, 620,000 persons or around 12 per cent of in-country population are classified as most vulnerable and eligible for relief food assistance. UNICEF continued supporting government vaccination activities against diphtheria. It is also involved in rural water and sanitation activities, as well as a peace education programme conceptually linked to a UNDP-supported peace and confidence-building programme. It provides schools with educational material and renders assistance in health and nutrition. UNHCR oversees repatriation of small groups of Tajik refugees from Afghanistan and Turkmenistan. The protection aspects of refugee issues in the field are handled by OSCE. UNHCR also continues to support a legal capacity-building training programme. UNDP commenced operations of a large-scale rural rehabilitation and reconstruction programme, implemented by the United Nations Office for Project Execution. It also supports ongoing projects in peace

and confidence-building, women in development, aid co-ordination, governance and small enterprise development. To mobilize resources for these activities, UNDP and the Government jointly organized the first informal donors' meeting in October 1996.

31. IMF continued to assist the Government in the areas of balance of payments and budget support. Plans are under way in cooperation with UNDP to strengthen the institutional capacity of the central banking system and of the customs administration. The World Bank plans to render operational in early 1997 a $10 million poverty alleviation programme. Its $50 million rehabilitation loan package reached final approval stage. The Consultative Group meeting on Tajikistan convened by the World Bank in October 1996 pledged further support for long-term rehabilitation and development needs in Tajikistan.

V. OBSERVATIONS

32. The overall situation in Tajikistan has deteriorated in the last three months. The ceasefire has been frequently violated by both sides, although they observed it from 16 September to 1 December in the most volatile part of the country, the Karategin Valley. Information I have received from UNMOT indicates that the fighting is continuing. These developments, which contradict the stated intentions of the Tajik parties to resolve the conflict through political means, raise serious questions regarding their sincerity and intentions.

33. On the other hand, I have taken note of the recent statements of President Rakhmonov and Mr. Nuri on their readiness to meet in northern Afghanistan and Moscow by the end of the year. I welcome these plans and hope that the encouraging progress made during the latest round of preparatory talks in Tehran will be given substance in an agreement, which could give much-needed impetus to the negotiating process. I have instructed my Special Representative to provide any assistance required in the preparation of those meetings. In this context, I recommend that the Security Council extend the mandate of UNMOT for a further period of six months. At the same time, in view of the continued violations of the ceasefire agreement by the parties, I have instructed my Special Representative to withdraw the UNMOT teams from the field to Dushanbe, awaiting further developments. I will report again to the Council in one month on the issue of compliance by the parties with the provisions of the ceasefire agreement and on possible results of the meetings between President Rakhmonov and Mr. Nuri.

34. In the present circumstances, it is imperative to restore an effective ceasefire. I appeal to the Tajik parties to cease hostilities immediately and to comply strictly with their obligations under the ceasefire agreement.

35. Regrettably, the activities of UNMOT have been impeded by threats to the security of its personnel and by restrictions on the freedom of movement of the military observers. I call upon both sides to remove these obstacles and to create the conditions necessary for the effective functioning of UNMOT.

36. I am receiving alarming reports on the deterioration of living conditions in the country, particularly in the areas affected by military confrontation. Therefore, both emergency relief and development support activities need to continue in Tajikistan in parallel. However, urgent humanitarian assistance is needed to ensure the physical survival of the most vulnerable sectors of the population and I call upon Member States to respond generously to the United Nations consolidated inter-agency donor alert.

37. In conclusion, I wish to pay tribute to Mr. Gerd Merrem, my Special Representative and Head of Mission of UNMOT, to Brigadier-General Hasan Abaza, the Chief Military Observer, and to the women and men working with UNMOT who have served with distinction in carrying out their tasks under difficult and often dangerous conditions.

DOCUMENT S/1996/1011*

Further report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995)

[*Original: English*]
[*5 December 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolutions 1009 (1995), 1019 (1995) and the presidential statement of 20 September 1996 [*S/PRST/1996/39*]. The report updates the human rights situation in Croatia, with specific reference to progress on measures taken by the Government of the Republic of Croatia to implement the resolutions mentioned above. These resolutions were adopted in the aftermath of Croatia's military offensive in May and August 1995 to recover formerly Serb-controlled areas of its territory located in Western Slavonia and the Krajina region, which had been designated United Nations Protected Areas and were known as Sectors West, North and South.

2. The present report considers developments since my last report of 23 August [*S/1996/691*] up to mid-November 1996. It is based on information compiled by the field operation of the United Nations High Commissioner/Centre for Human

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* Incorporating document S/1996/1011/Corr.1 of 9 December 1996.

Rights in the former Yugoslavia from a range of sources, including the European Community Monitoring Mission (ECMM), the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). Two recent reports issued in November 1996 by the Special Rapporteur of the Commission on Human Rights, Ms. Elisabeth Rehn, have also been taken into consideration [*S/1996/927, annex and S/1996/931, annex*]. In addition, the report takes into account several aide-mémoires and other documents and information provided by the Government of Croatia, including an aide-mémoire dated 15 November 1996. Substantial information has also been received from local and international non-governmental human rights organizations active in Croatia, including the Croatian Helsinki Committee, Otvorene Oci ("Open Eyes"), the Dalmatian Solidarity Committee (DOS), Homo, the Committee for Human Rights in Karlovac and Pakrac, the Serbian Democratic Forum and the Anti-War Campaign, Croatia.

II. HUMAN RIGHTS VIOLATIONS AND MEASURES TAKEN BY THE GOVERNMENT OF CROATIA

3. Since my last report, the incidence of violent assaults and thefts committed in the former sectors against members of the local population, in particular Croatian Serbs, appears to have decreased slightly. Nonetheless, reports of such acts continue to be received. Former Sector South, especially around the town of Knin, remains an area of particular concern. Ongoing harassment, looting and physical attacks in the region indicate that measures taken by the Government to improve the security situation have been relatively ineffective. The Government maintains that it has taken numerous measures to improve security in the former sectors, including the deployment of an additional 3,500 police officers. International observers indeed confirm a strengthened police presence in some areas, although not in more remote regions. Pakrac (former Sector West) has been identified as a location with an especially effective and professional police force.

4. According to government reports, in the course of August and September 1996, only two cases of serious criminal activity were recorded in the former sectors, in addition to 14 cases of arson and demolition of houses and 6 cases of looting. International and non-governmental observers, on the other hand, report that the number of serious incidents was considerably higher. The Government also maintains that the current rate of crime in the former sectors is not statistically different from the normal rate of crime throughout the country. It appears, however, that many of the incidents that continue to be committed in the former sectors are specifically motivated by the victims' Croatian Serb origin, which has led to an exceptional feeling of insecurity amongst that group.

5. Many recent crimes in the former sectors have reportedly been committed by civilians. Indeed, some instances of looting have been attributed to families, including women and children, many of whom are Croat refugees from neighbouring Bosnia and Herzegovina who have recently been resettled in the area. Some of the most violent incidents, however, have been attributed to persons wearing Croatian military uniforms. One female Croatian Army soldier has reportedly directed several violent attacks by soldiers in the Knin area in recent months. On occasion, Croatian police officers have also been alleged to be involved in looting and other crimes.

6. Two persons have been killed in the former sectors since last August. On 11 September, in Bukovica, former Sector North, an elderly couple of mixed (Serb-Croat) origin were shot dead in their home; the building was then set on fire and the victims' corpses were thrown into the blaze. The Croatian police made two arrests in the case two weeks later. Another violent incident occurred on the night of 27 October in the village of Bukovic, near Benkovac, when two unknown persons broke into the house of a 60-year-old Serb woman, raped her and beat her severely before locking her in a closet. She required 12 days of hospitalization to recover from her injuries.

7. Looting of livestock, crops, firewood, building materials and other goods remains common, particularly in the Golubic and Plavno valley areas near Knin. The Chief of Police in Knin advised international observers on 25 September that some 12 vehicles had been seized and 30 persons, mostly Croat refugees, had been placed under investigation during the previous week for looting and other crimes. Croatian police and soldiers were reportedly involved in a series of thefts in the Plavno valley on 19 September. One of the victims, who had recorded the licence plate of a vehicle used by the looters, attempted to report the crime to the police but they refused to accept the complaint. She subsequently mailed it to the local police station.

8. During the night of 3 October, three armed and intoxicated Croatian soldiers were reported to have arrived in the hamlet of Bjedov (former Sector South) and ordered the few residents present to get out of their homes. The soldiers stole food and electrical appliances. A resident told an international observer the next day that she was ready to move to the Federal Republic of Yugoslavia. On 28 October, four persons, including two Croatian soldiers, accosted a couple on a road near Knin and stole 40 sheep from them. The incident was reported to the police who managed to convince the perpetrators to return the animals.

9. Several acts of arson against homes belonging to Croatian Serbs in the former sectors were reported in November, including an incident in Golubic and others in Svrackovo Selo, Plitvice and Brezovac. In Ocestovo (former Sector South) the school building in the centre of the town was set on fire on 25 September. On 23 August, a Serb Orthodox church in Karin (former Sector South) was blown up and on 17 September, a monument in Knin commemorating the Second World War was destroyed by a bomb.

10. In my last report I noted a spate of attacks and threats against non-governmental organizations engaged in human rights and humanitarian activities in the area. The most re-

cent such incident involved a man who broke into the office of the Croatian non-governmental organization Homo in Vrhovine (former Sector South) during the night of 16 October and threatened and later beat two persons staying there. The victims managed to notify the police, who took the perpetrator, believed to be armed, into custody. Upon his release the next day, the man returned to the office, where he again threatened the occupants.

11. The return of law and order in the region has been delayed by the failure to re-establish a functioning court system, among other reasons. As of early September, only one judge was in office at the municipal court in Knin. Police officials have reported frustration at the courts' inability to handle even the few cases that are referred to them.

12. As for the investigation and prosecution of crimes committed against the Croatian Serb population during the summer of 1995, the Government has provided no new information to supplement the data contained in its report of 10 June 1996. That information indicated, *inter alia*, that criminal proceedings had been instigated or final verdicts reached against an aggregate of 2,849 persons for hundreds of crimes committed in the former sectors during the summer of 1995. As I noted in my last report [*S/1996/691*], however, there are some problems to be found with the Government's figures. There has been no progress reported towards clarifying the 1995 killings of nine elderly Serbs at Varivode and seven in Gosic, following the acquittals in August 1996 of eight persons accused in those cases [*ibid., para.13*]. The Grubori case, concerning the killing of five elderly Serbs in a hamlet in the Plavno valley in August 1995, remains similarly unresolved.

III. HUMANITARIAN AND ECONOMIC SITUATION

13. Notable progress has been made in the Government's programme to meet the most urgent humanitarian needs of vulnerable persons, including unaccompanied elderly persons residing in the former sectors. Measures taken by the Government in cooperation with local and international relief agencies were assessed in a generally favourable manner by the Special Rapporteur in her report of 22 October to the Commission on Human Rights [*see S/1996/927, annex, sect. II*]. Special attention will have to be paid to this matter, however, with the imminent onset of winter when isolated persons will be at greatest risk.

14. The Government's programme "Let's Save Lives", conducted in association with the Croatian Red Cross, has been engaged in providing individualized care, surveying the general needs of the population, endeavouring to meet social security needs such as health insurance and pension benefits and establishing specialized care institutions. Important support has been provided by international humanitarian organizations including UNHCR, the International Federation of Red Cross and Red Crescent Societies, ICRC and Équilibre. The Government signed an agreement with the International Federation of Red Cross and Red Crescent Societies on 4 October for the jointly financed reconstruction of specialized care facilities, including a psychiatric hospital and a rehabilitation centre, which will have the capacity to care for some 700 persons. The Government reports that Équilibre is participating in a joint project to provide social documentation to elderly Croatian Serbs who remained in former Sector North.

15. According to the Government, the National Pension and Disability Insurance Fund is responding to the social welfare needs of the population through new branch offices established recently in the former sectors. According to official figures, a total of 5,069 applications for benefits had been filed as at 2 October, of which 4,745 (94 per cent) have been "solved". Reports from Sector West, however, indicate that several applications were not even accepted by the local offices because the applicants lack the citizenship certificates (*domovnica*). Such certificates have been difficult for Croatian Serbs to obtain. Regarding unemployment benefits, branch offices set up in the former sectors by the Croatian Labour Office had registered a total of 7,912 unemployed persons as at 3 October. The Government has indicated that those persons have the same rights and duties as other unemployed Croatian citizens.

16. Notwithstanding these measures, reports from the former sectors indicate that Croatian Serbs still suffer from discrimination in the provision of social benefits. Reconstruction assistance, for example, is still far more likely to be dispensed to citizens of Croat, as opposed to Serb origin. Utility services such as electricity and water, as well as transport lines to Croatian Serb communities, have been slow in materializing. Examples are the village of Cremusnica (in the Gvozd—formerly Vrginmost—municipality) and hamlets near Dabar. Applications for documentation by Croatian Serb individuals, including for recognition of citizenship, are frequently stalled for bureaucratic and other reasons, while citizens of Croat origin find the process to be much swifter. In general, the large influx of Croat refugees and displaced persons into the former sectors, without a corresponding return of the Croatian Serb population, has resulted in a clear imbalance in the allocation of essential resources. The difficult situation faced by Croatian Serbs is further aggravated by the region's deep economic stagnation.

IV. RETURN OF CROATIAN SERB REFUGEES AND DISPLACED PERSONS

17. As many as 200,000 Croatian Serbs fled to the Federal Republic of Yugoslavia and Bosnia and Herzegovina following the 1995 Croatia military offensives in former Sectors West, North and South. Government figures indicate that the number of persons who have been granted official authorization to return to Croatia as at 12 October 1996 was approximately 12,000. The Government indicates that, in fact, a slightly higher number of Serbs may have returned to the country, including some through unofficial means. By contrast, some international observers suggest that the number of actual returns to Croatia may be far fewer than 12,000. This observation is based on allegations that some of the persons

authorized to return are members of family units in which a single individual—typically an adult male of military age—has been denied permission to return to Croatia along with his family. These denials have caused entire families to remain outside the country until they can return to their homes together. In the past year, the UNHCR office in Belgrade has only been able to facilitate the return of just under 300 refugees to Croatia. It should be noted that while re-entry into Croatia by citizens of Croat nationality occurs routinely in most cases, the process is far more difficult for Croatian Serbs with equally defensible claims to citizenship. The Special Rapporteur of the Commission on Human Rights has noted that, regardless of length of residence, Croatian Serbs encounter greater difficulties than Croatians of Croat nationality in obtaining recognition of citizenship, owing in part to the Law on Citizenship's requirement that an applicant be found to be "attached to the legal system and customs persisting in the Republic of Croatia and that he or she accepts the Croatian culture" (art. 8) [*S/1996/931, annex, para. 119*].

18. As far as returns to the former sectors themselves are concerned, international observers estimate the number of returnees to be some 3,000 persons. Many Croatian Serbs who have returned to Croatia have joined relatives in areas of the country outside the former sectors. Some 10,000 Croatian Serbs, mostly elderly persons, remained in the former sectors after last summer's military operations. Meanwhile, over 55,000 Croat displaced persons from elsewhere in the country and Croat refugees from Bosnia and Herzegovina and the Federal Republic of Yugoslavia have been resettled in the former sectors since early 1996, with more arriving every day. Whole towns have been designated for resettlement by Croat refugees, including Kistanje (former Sector South), predominantly Serb before the war. The town is now expected to receive more than 1,000 Croats from the Kosovo province in the Federal Republic of Yugoslavia. The Government stresses that it is caring for a high number of refugees and displaced persons, more than 350,000 altogether, whose rights to shelter, dignity and security require urgent attention.

19. The imbalance between the number of remaining and returning Croatian Serbs and the number of Croats resettled in the former sectors is a matter of concern, however, as is the change, perhaps irrevocable, in the demography of those regions. This imbalance has many evident causes, but one of the most fundamental, according to international observers, is simply the persistent hostility shown by local Croat authorities and residents to the return of Croatian Serbs. On many occasions observers have been told by locals that it is impossible for Croatian Serbs to return so soon after the events of five years of war. These feelings, compounded by bureaucratic and/or political obstacles, make the likelihood of a large-scale return of Croatian Serbs in the near future seem very remote indeed.

20. Nevertheless, the Government of Croatia insists that it is working actively toward the goal of return. A significant step in this direction was the signing at Belgrade on 23 August 1996 of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, noted by the Security Council in its presidential statement of 20 September [*S/PRST/1996/39*]. Pursuant to the Agreement, both parties assumed the obligation to facilitate the free and safe return of refugees and internally displaced persons to their places of origin or other places of their choice. According to the Government of Croatia, applications for return by refugees currently residing in the Federal Republic of Yugoslavia may now be submitted through the Croatian Embassy in Belgrade. The Government has stated that the conclusion of the Agreement will significantly facilitate the process of return of Croatian Serb refugees to Croatia, although it must be pointed out that progress on this issue to date, three months after the Agreement's signing, has been limited.

21. As I noted previously, the Government of Croatia has indicated that it will give priority to applications for return from relatives of elderly Croatian Serbs still in the former sectors who require the assistance of younger family members to lead a normal life. This approach had been advocated by international organizations concerned with return issues, including UNHCR and ICRC.

22. One aspect of the return question requiring special emphasis is the matter of property. Even when Croatian Serbs do manage to return to the former sectors, they frequently find their houses or apartments occupied by resettled Croat refugees and displaced persons. Although these occupations are often (although not always) initiated according to legal procedures, they are not normally envisioned to be permanent, and the return of a lawful owner should generally result in the reversion of his or her property. The process of allocation of unclaimed properties is overseen by local property commissions, which, as has been previously reported, vary greatly in their effectiveness in safeguarding property rights.

23. Dozens of cases have been reported throughout the region of returning Croatian Serbs who have been unable to obtain the assistance of local authorities in regaining possession of their homes. One Croatian Serb couple who had worked for some 30 years as teachers at the Knin primary school have been attempting to recover possession of their flat ever since their return from the Federal Republic of Yugoslavia in March 1996. On at least one occasion they were angrily derided by a local official as "Chetniks" (a derogatory term applied to Serbs) and thrown out of his office. In another case, the house belonging to a 68-year-old Croatian Serb from Gracac has been occupied by a Croat refugee from Kakanj, Bosnia and Herzegovina. When the owner requested help in the case from the local police, he was reportedly detained for a day for questioning and then released, with no action taken on his complaint. A violent occupation occurred in Knin on 8 November when several persons invaded a 69-year-old woman's house, forced her to leave by threatening her and then changed the property's lock. She is now pressing charges against the perpetrators but at the time of finalizing the present report she reportedly had still not been able to recover possession of the house.

24. The Government has called attention to provisions of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia that provide for the return of possession of property or just and adequate compensation. The Government has advised that pursuant to the Agreement, a bilateral commission has been established with the task of implementing those provisions.

25. The question of returns, both of displaced Croatian Serbs and Croats, is a central consideration in the implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium [*S/1995/951, annex*]. Some visits of displaced Croatian Serbs currently residing in that region to their home communities elsewhere in the former sectors have taken place, with the involvement of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and UNHCR. While some of these initiatives have proceeded smoothly, others have not—as was the case, for example, with the visit by a group of Croatian Serbs from Bilje in the UNTAES-administered region on 11 October to former Sector North. Upon arrival in Glina their bus was attacked by a hostile mob, which included the mayor of Glina. It should also be noted that prospects for returns are further complicated by the continued presence of mines.

V. DETENTION AND THE QUESTION OF AMNESTY

26. On 20 September, the Parliament of Croatia passed a general amnesty law, which entered into force on 3 October. The terms of the legislation apply to persons accused of or sentenced for criminal acts committed in Croatia in connection with aggression, rebellion or armed conflict between 17 August 1990 and 23 August 1996. Under the law, criminal investigations or proceedings related to such acts are to be cancelled and any detained persons to whom the amnesty applies should be released. The legislation exempts from its coverage alleged perpetrators of war crimes, which are explicitly listed in the law with reference to articles 119 to 137 of the Basic Penal Code of Croatia. In its presidential statement of 20 September 1996, the Security Council welcomed the passage of the amnesty law, which it had previously recommended as a useful step toward promoting the peaceful reintegration in the country.

27. According to the Government of Croatia, as at 15 November, 94 persons had been released from detention or imprisonment on the basis of the new amnesty law. For those persons tried and convicted *in absentia*, a procedure for vacating the sentences is currently under way.

28. Recent information received by the field operation of the United Nations High Commissioner/Centre for Human Rights, however, strongly suggests that the amnesty law is not being implemented in a fair and equitable manner. More than 20 persons have been rearrested immediately or within days of their release. In some cases they are apparently being charged with war crimes for the same acts for which they had previously been held. These rearrests have caused apprehension among the Croatian Serb population both within and outside Croatia.

29. In addition, concerns have been raised about the cases of persons tried and convicted *in absentia*. Many of these persons are ignorant of the consequences they may face upon return to Croatia, especially if their convictions are not vacated by the Government pursuant to the amnesty. While the amnesty law stipulates that persons subject to imprisonment on the basis of *in absentia* convictions can request review of their cases, such action must be taken within the year following the effective date of the law, that is, by 3 October 1997. The difficulty of obtaining information concerning convictions *in absentia* means that returnees will remain fearful of possible arrest if they decide to return to Croatia, and that, if indeed they are arrested subsequent to 3 October 1997, the arrest may be irrevocable.

VI. LEGAL PROTECTION FOR THE CROATIAN SERB POPULATION

30. On 6 November 1996, Croatia was formally admitted as the fortieth member of the Council of Europe. The Government of Croatia signed the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, accepting thereby the competence of the European Commission and the European Court of Human Rights. Croatia also signed the Framework Convention for the Protection of National Minorities and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. It is hoped that these undertakings will have a significant impact on key areas of human rights affecting all citizens of Croatia, and Croatian Serbs in particular.

31. With a view to better implementation of the commitments it has undertaken in relation to the Council of Europe, the Government of Croatia has advised that, on 12 September, it established a formal working group, composed of both government representatives and independent experts, to examine the compatibility of Croatian law with the European Convention on Human Rights and Fundamental Freedoms and its Protocols.

32. The Government's decision of September 1995 by which it suspended certain provisions of the Constitutional Law on Human Rights affecting the rights of national minorities, principally of Croatian Serbs, remains in effect. The Government maintains, however, that the suspension has not affected core provisions of Croatian law relating to minority rights. In its aide-mémoire of 15 November 1996, the Government advised that, in order "to assure the full compliance and compatibility of the provisions of the Constitutional Law with relevant universal and regional instruments on minority rights standards", it had on 10 October established a working group for the revision of the Constitutional Law on Human Rights. The working group is to cooperate closely with the Council of Europe's Commission for Democracy through Law (the Venice Commission). The Government further advised that it had requested a review by experts from the Council of Europe of the country's draft law on education in ethnic or national minority languages.

33. Croatia continues to cooperate with the Organization for Security and Cooperation in Europe (OSCE), with which it has concluded a memorandum of understanding for a long-term monitoring mission in Croatia. Mission offices have already been established in Zagreb, Vukovar and Knin. The mission is concerned with a variety of questions, including conflict-prevention, confidence-building and human dimension issues.

34. Pursuant to the long-established cooperation between the Government and the United Nations High Commissioner/Centre for Human Rights, which has hitherto focused largely on supporting the work of the Special Rapporteur of the Commission on Human Rights, the Government has entered into discussions with the High Commissioner's office for the implementation of projects in the area of technical cooperation. In this regard representatives of the Centre for Human Rights undertook a mission to Croatia from 28 October to 2 November 1996 for the purpose of evaluating possible projects.

35. The Government has advised that it is proceeding with plans to restructure and expand the office of the ombudsman, principally through the appointment of 20 deputy regional officers. The Government also advised that it is establishing new institutions to strengthen the promotion and protection of human rights, including a governmental coordination body set up on 26 September, and a committee for the implementation of recommendations of the Fourth World Conference on Women and the World Summit on Children will be established soon, ostensibly to deal with the promotion and protection of the rights of women and children.

VII. COOPERATION WITH THE INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

36. According to information received from the Office of the Prosecutor, Croatia's cooperation with the International Tribunal leaves much to be desired and is currently producing little of substance. Practical arrangements for cooperation are currently in a state of flux. As of mid-November, the new Prosecutor, Judge Louise Arbour, had not met formally with senior Ministers to discuss the situation, but she planned to do so shortly. The Office of the Prosecutor has been informed that a major reorganization is taking place at key levels in the Ministries dealing with the Tribunal. Concern persists, however, since some four months have passed since the announcement of the establishment of a new government Department for Relations with the Tribunal. This organ, apparently intended to take over liaison from the War Crimes Commission, has not yet become operational, although some progress was made with the appointment in mid-November of a Head of Department. On 12 and 13 November, the Prosecutor's Liaison Office in Zagreb relocated from its present compound. An exchange of letters is under way to regulate the future status of the office, which hitherto had formed part of a larger United Nations presence in the country.

37. In the meantime, the Prosecutor is experiencing delays in obtaining responses from the Croatian authorities in relation to specific requests, including requests for assistance in the production of documentary evidence. The extent to which Croatia considers itself bound by "rules of the road" provisions of the Rome Agreement of 18 February 1996 is still unclear. In that regard the Prosecutor has been informed of the release of 16 Serbs under the recent general amnesty law and their subsequent rearrest on other charges, which may fall within the framework of the Rome Agreement.

38. Although given access to a large number of case files, the Prosecutor has not been able to find evidence of any serious attempt by the Croatian authorities to investigate grave allegations made about the conduct of Croatian troops and civilians during and after Operation Storm in the former sectors in the summer of 1995.

39. The Croatian authorities have, however, cooperated fully with the Prosecutor in allowing autopsies of bodies removed in the course of the Ovcara/Vukovar hospital exhumations. Autopsies are to take place in Zagreb in the presence of Serb observers.

40. There has been no significant movement regarding the arrest of prominent accused persons, although the arrest of Zlatko Aleksovski in Split was an encouraging sign. His transfer to The Hague now depends upon the decision of the Minister of Justice, who, under Croatia's implementing legislation, "may temporarily postpone surrender due to an illness of the accused or other justified reason". The Prosecutor has been informed that Mr. Aleksovski has been admitted to hospital. Despite a number of recent diplomatic endeavours designed to impress upon the Croatian authorities their duty to fulfil international obligations, the indicted war crime suspects Dario Kordic and Ivica Rajic remain at large. Croatia's failure to apprehend them overshadows all other aspects of cooperation with the International Tribunal.

VIII. OBSERVATIONS

41. Although the security situation in the former sectors has improved slightly since my last report in August, ongoing looting and harassment, especially in the area around Knin, give continuing cause for concern. Prospects for improved confidence amongst the local Serb population are further harmed by the Government's lack of progress in investigating and resolving incidents of human rights violations that occurred in 1995. A legitimate question may be raised as to whether Croatian Serbs in the region will be able to re-establish the conditions of normal life in the near future.

42. As noted by the Special Rapporteur of the Commission on Human Rights and other observers, there have been some positive political developments in Croatia in the last several months. These include the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, signed at Belgrade on 23 August, which contains important human rights commitments, the adoption of the new Law on Amnesty on 25 September and the admission of Croatia to the Council of Europe on 6 November, entailing important obligations in the area of human rights. Encouragement may also be drawn from

Croatia's programme of humanitarian assistance to vulnerable populations in the former sectors, although reports of discrimination against Croatian Serbs in gaining access to certain benefits require further close attention.

43. On the issue of the return of Croatian Serb refugees, little progress has been noted since my last report. Although the normalization agreement between Croatia and the Federal Republic of Yugoslavia addresses this subject in a constructive way, it has not yet resulted in a material increase in the number of returns. In the former sectors themselves, it is clear that, owing to the legacy of five years of hostilities, many Croatian authorities and residents simply do not wish Croatian Serbs to return or, in the cases of Croatian Serbs who remained, do not wish them to stay. Continued delays in the return of Croatian Serbs is especially alarming with regard to the situation of elderly Serbs still residing in the former sectors. The absence of their younger family members will compound the difficulties they will have to face in the coming winter.

44. Two developments bode especially poorly for the prospect of future returns. The first is the Government of Croatia's continuing failure to safeguard property rights effectively. Many Croatian Serbs who have returned to the former sectors have found their homes occupied by Croat refugees and displaced persons and have been unable to regain possession of the properties. They are thus left with nowhere to live. It is to be hoped that the Government will move decisively to apply proper procedures to the question of property rights. A second development of great concern relates to the implementation of the new amnesty law. The rearrest of numerous persons, almost immediately following their release under the law, threatens to deprive the legislation of its value in building confidence and promoting reconciliation in Croatia.

45. Regarding the International Tribunal, there remain strong grounds for concern that the Government of Croatia is withholding its full cooperation, principally by failing to ensure the apprehension of indicted war-crime suspects believed to be in areas under its control. The Office of the Prosecutor advises, in addition, that it has not been able to find evidence of any serious attempt by the Croatian authorities to investigate grave allegations made about the conduct of Croatian soldiers and civilians during the 1995 military operations in Krajina and Western Slavonia.

DOCUMENT S/1996/1012

Letter dated 5 December 1996 from the representative of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General

[*Original: English*]
[*6 December 1996*]

I have the honour to draw to your attention the Conclusions of the Peace Implementation Conference, on Bosnia and Herzegovina, which was held in London on 4 and 5 December 1996.

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) John WESTON
Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations

ANNEX

London Peace Implementation Conference 1996
Bosnia and Herzegovina 1997: Making Peace Work

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I. SUMMARY OF CONCLUSIONS

1. The future of Bosnia and Herzegovina is as an independent and democratic state within internationally recognised borders, with guaranteed human rights and fundamental freedoms for all, and with a restructured market-oriented economy, a commitment to free trade, strong economic and political relations with its neighbours, and developing links with the European Union. Meeting in London on 4 and 5 December 1996, the Peace Implementation Council reaffirms its commitment to these objectives, to be achieved through full implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and its Annexes (the "Peace Agreement"). It recalls the conclusions of the PIC Review Conference in Florence on 14 June 1996 and of the Ministerial Meeting of the Steering Board with the Presidency of Bosnia and Herzegovina in Paris on 14 November 1995, and welcomes the substantial progress made in the past year. In particular:

- peace has taken root: in 1996, no Bosnian has died in military conflict;
- elections have been held, with the participation of 2.4 million citizens;
- barriers to freedom of movement have begun to be dismantled;
- the establishment of the new multi-ethnic common institutions, most recently the setting up of the Council of Ministers, has begun;
- reconstruction is underway.

2. The next stage is to build upon the achievements of the past twelve months: to consolidate peace; to encourage reconciliation and economic, political and social regeneration; to take the radical steps necessary to restore a multi-ethnic Bosnia and Herzegovina to economic health and prosperity and to enable it to take its place in the region and in Europe.

3. These objectives require the full commitment of all the leaders of Bosnia and Herzegovina and its two Entities (Federation of Bosnia and Herzegovina and Republika Srpska). There are important areas of the Peace Agreement where little progress has been made. Of the 2.1 million citizens who have been displaced or become refugees, only 250,000 have returned. Human rights abuses continue: people are still being expelled from their home areas for ethnic reasons and homes are still being destroyed. People are still being harassed when exercising their right to move freely around the country. Progress in reconstruction has been hampered by the failure of the authorities in Bosnia and Herzegovina to provide all the necessary mechanisms and structures to maximise the effectiveness of the international community's efforts. Some of the new common institutions have not yet been constituted. Persons indicted for war crimes by the International Criminal Tribunal for the Former Yugoslavia have not been surrendered to stand trial in The Hague. Agreed weapons reductions have still not been implemented. Mines have not been cleared.

4. While the Peace Implementation Council is committed to the peace process, responsibility for reconciliation lies with the authorities and citizens of Bosnia and Herzegovina, who must progressively take charge of their own affairs. The Council's willingness to devote human and financial resources is dependent upon a strengthened commitment from the authorities in Bosnia and Herzegovina to implementation of the Peace Agreement. Specific criteria for this conditionality are set out in the texts following this summary. The Republic of Croatia and the Federal Republic of Yugoslavia, as parties to the Peace Agreement and immediate neighbours, must continue to work for a peaceful, united and stable Bosnia and Herzegovina and for a normal and constructive relationship between themselves and with Bosnia and Herzegovina, including the early establishment of diplomatic relations. In particular the Council expects full cooperation from them on regional stabilisation, human rights, indicted persons and refugee return.

5. Following the development in Paris on 14 November 1996 of guiding principles for the two-year civilian consolidation plan, the Peace Implementation Council has approved at this conference the following Action Plan for the coming twelve-month period:

- *Regional stabilisation*: continuing substantial progress in the implementation of confidence- and security-building measures (Article II Agreement) and ensuring full implementation of the Agreement on sub-regional arms control (Article IV) by the agreed deadlines, including full implementation of the baseline validation inspections, correct reporting, proper application of counting rules and completion of first phase reductions by 31 December 1996 and second phase reductions by 31 October 1997, in close cooperation with the Personal Representatives of the OSCE Chairman-in-Office for both Agreements;
- *Human rights*: respecting the highest level of internationally recognised human rights and fundamental freedoms and ensuring that the authorities in Bosnia and Herzegovina cooperate fully with the Ombudsman and the Human Rights Chamber and implement their conclusions and decisions;
- *War crimes*: ensuring that all states and Entities concerned execute arrest warrants against indictees and surrender them to the Tribunal without further delay; injecting extra resources into the Tribunal to improve its investigative capacity; insisting on full cooperation with Tribunal investigations and requests for information; insisting on full compliance with the 'Rules of the Road' agreed in Rome on 18 February 1996;
- *Democratisation*: setting up effective institutions without delay; amending laws inconsistent with the Constitution; creating the conditions for a viable and democratic civil society;
- *Refugees and displaced persons*: creating and maintaining conditions to encourage the return of refugees and displaced persons to places of their choice in either of the two Entities;
- *Freedom of movement*: creating urgently an integrated strategy and a task force to secure full compliance with the freedom of movement requirements of the Peace Agreement; encouraging full respect for the "rules of the road"; elimination of laws and regulations which inhibit free movement; establishment of a national number-plate system; extension of cross-Entity road and rail services; agreement on a linked telecommunications system and a commonly-administered airspace for Bosnia and Herzegovina;
- *Elections*: holding municipal elections by summer 1997, supervised by the OSCE; promoting a politically open electoral environment, including full participation by opposition parties and equitable access to mass media;
- *Policing*: improving the effectiveness of the International Police Task Force (IPTF) by allowing it to investigate or assist with investigations into allegations of misconduct by police and to propose the sanctioning of offenders; ensuring police reform and providing material and financial support conditional upon implementation of democratic policing principles and cooperation with the IPTF; obtaining additional resources from the international community;
- *Market economy*: constructing a market economy based on respect for free market and open trading principles; instituting a legal framework including passage of central and Entity budgets; agreeing an IMF stabilisation programme;
- *Reconstruction*: insisting on continued linkage between the provision of reconstruction assistance and the authorities' commitment to implementation of the Peace Agreement; giving high priority to those reconstruction projects which link and integrate the Entities, foster refugee return and create jobs; ensuring action by the authorities to enable early agreement on an IMF stabilisation programme which will encourage both substantial debt relief by the Paris and London Clubs and a positive response from the international community and the international financial institutions at the 1997 donors' conference; the distribution of aid on an equitable basis consistent with real needs throughout Bosnia and Herzegovina, conditional upon support for implementation of the Peace Agreement; recognition of the need for quicker disbursement, including disbursement of the vast majority of 1996 pledges by June 1997, and rapid commitment of 1997 pledges with disbursement of a significant percentage of these by the end of 1997, provided the authorities of Bosnia and Herzegovina cooperate;
- *Central Bank*: ensuring that the Central Bank is operational by early 1997; adoption of legislation and agreement on the practical arrangements for the new currency;
- *Mine removal*: ensuring that the authorities in Bosnia and Herzegovina commit resources, waive taxation on humanitarian assistance and cooperate by providing complete information to the United Nations Mine Action Centre; implementing as soon as possible in 1997 an effective and extensive civilian mine clearing operation;
- *Reconciliation*: adoption of legislation and other measures to encourage tolerance and equality and to secure basic rights; adoption of a Bosnia and Herzegovina flag and symbols; agreement on all Ambassadors representing Bosnia and Herzegovina;

- *Media*: developing a media regulatory framework consistent with OSCE standards; providing the necessary licences and facilities to enable the Open Broadcast Network, TV-IN, as well as other independent broadcasters, to operate free of arbitrary interference;
- *Education*: the restoration of educational systems and their transformation into systems which are open and non-discriminatory, teach democratic values and respect for human rights and recognise and respect the cultural heritage of all the peoples of Bosnia and Herzegovina;
- *Brcko Area*: re-commitment of the authorities in Bosnia and Herzegovina to unequivocal support for the arbitration of the Brcko Area and the Tribunal process, and to full implementation of the arbitration decision;
- *Customs*: adoption of a customs law and a customs tariff law, co-ordination of customs procedures and administration between the Entities and removal of internal barriers to trade; facilitation of external trade through establishment of border crossing points along the entire state border line where appropriate.

6. The authorities in Bosnia and Herzegovina acknowledge their individual responsibilities to fulfil their obligations, and accept that any failure to do so by another party does not release them from these obligations.

7. The Peace Implementation Council, recognising Bosnia and Herzegovina's wish for a close relationship with the European Union, welcomes the European Commission's intention to consider proposing a contractual relationship between the European Union and Bosnia and Herzegovina.

8. The Council also confirms the continuation of the mandate of the High Representative, with reinforced co-ordination structures, including in the field of reconstruction.

9. The texts following this summary set out more detailed goals and targets for peace implementation, agreed by Bosnia and Herzegovina and the two Entities, the Federation of Bosnia and Herzegovina (the Federation) and Republika Srpska (referred to throughout these Conclusions as "the authorities in Bosnia and Herzegovina"), and endorsed by the Republic of Croatia and the Federal Republic of Yugoslavia. The texts also contain detailed commitments of support from the Peace Implementation Council, conditional upon continued adherence by the authorities in Bosnia and Herzegovina to the full implementation of the Peace Agreement. A further meeting of the Peace Implementation Council will be held towards the end of 1997, with a review at mid-term.

10. Recognising the fundamental importance of a secure environment to the task of civilian implementation during 1997, the Council, including the authorities in Bosnia and Herzegovina, welcomes the decision made in principle by NATO members, in cooperation with other states participating in IFOR, to provide a smaller multinational stabilisation force (SFOR) in 1997 under the same robust rules of engagement as IFOR. By contributing to a secure environment for the Action Plan set out in these Conclusions, SFOR will make a vital contribution to the peace process in Bosnia and Herzegovina.

II. REGIONAL STABILISATION

11. In accordance with the agreement reached at Paris on 14 November 1996, the Council underlines the importance of pursuing control of armaments at the lowest possible level of weapons, and of implementing fully and without delay the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996.

Article II Agreement: Inter-Entity Confidence and Security-Building Measures

12. The Council welcomes the substantial progress made in establishing inter-Entity confidence- and security-building measures and looks forward to full implementation of the Article II Agreement. It congratulates the two OSCE Personal Representatives for Article II on their achievements.

13. The Parties to the Article II Agreement undertake to move rapidly to full implementation.

Article IV Agreement: Sub-Regional Arms Control

14. The Council welcomes progress made towards implementation of the Article IV Agreement, but deplores continued delays over full implementation of the baseline validation inspections and the first phase of reductions. It congratulates the OSCE Personal Representative for Article IV on his achievements.

15. The Parties to the Article IV Agreement reconfirm their obligation to cooperate fully with each other and with the OSCE in avoiding any circumvention and adhering to the implementation timetable. The Parties undertake to:

- submit on or before 16 December 1996 an additional information exchange giving precise, comprehensive and accurate data about their weapons holdings on the day of submission;
- adjust their reduction liabilities where necessary to bring them into line with this data exchange and to ensure that exemptions are claimed for no more than 5% of the total holdings under the counting rules in Article III of the Agreement;
- for the Parties which have not yet completed their first phase reductions, submit by 16 December 1996 complete reduction plans for 1996 covering at least 20% of the total reduction liability for tanks and ACVs; and at least 40% of the total reduction liability for the other categories of weapons limited by the Agreement;
- complete first phase reductions by 31 December 1996;
- ensure that the data on 1 January 1997 weapons holdings submitted on 16 December 1996 under the terms of the Agreement is based on rigorous compliance with the above four commitments;
- complete all reductions by 1 November 1997;
- resolve immediately differences which are impeding the smooth running of the inspection regime.

16. The Council recommends that the OSCE Personal Representative under Article IV should remain as Chairman of the Sub-Regional Consultative Commission until the end of 1997.

Article II and IV Agreements

17. The Council recommends that the assessment of the OSCE Personal Representatives of the Parties' progress in implementing the Article II and Article IV Agreements be taken into account by IFOR/SFOR when deciding whether to grant permission to withdraw equipment from cantonments or to hold exercises; that permission may not be granted to Parties if they have not met agreed reduction targets; and that permission may not be granted to Parties which, in the opinion of the OSCE Special Representatives, are hindering implementation.

18. The Council welcomes the close co-operation between OSCE and IFOR in their efforts to assist the Parties to the Agreement towards meeting their obligations. The Council looks forward to similar co-operation between OSCE and SFOR in 1997.

19. The Council welcomes the substantial assistance which the Parties have received to implement the Article II and Article IV Agreements, and undertakes to provide further assistance where needed, co-ordinated through the OSCE.

Article V: Regional Arms Control

20. With respect to regional arms control, and following satisfactory progress in the implementation of the Article II and Article IV Agreements, the Council calls for efforts to continue to promote the implementation of Article V of Annex 1-B of the Peace Agreement under the auspices of the OSCE Forum for Security Cooperation.

III. HUMAN RIGHTS AND WAR CRIMES

21. The Council supports the central role of the High Representative in chairing the Human Rights Task Force, which brings together the organisations and agencies involved in the implementation of the Peace Agreement.

22. The Council recalls the obligation of the authorities in Bosnia and Herzegovina to secure to all persons within their jurisdiction the highest level of internationally recognised human rights and fundamental freedoms. The authorities in Bosnia and Herzegovina undertake to meet their human rights commitments in the Peace Agreement, in particular through:

- full cooperation with the Ombudsman and the Human Rights Chamber by authorities at all levels, and implementation of their conclusions and decisions;
- direct application of the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms;
- promotion and encouragement of activities of non-governmental organisations and international organisations for the protection and promotion of human rights.

23. The Council recalls the obligation of Bosnia and Herzegovina to remain or become party to the human rights agreements listed in Annex I to the Constitution of Bosnia and Herzegovina, and urges that this be done at an early date. The Council notes the intention of Bosnia and Herzegovina to develop rapidly a genuinely independent judiciary enforcing the rule of law, and urges the authorities in Bosnia and Herzegovina to take specific steps to turn their commitment to ensure the highest level of internationally recognised human rights into a reality (as required by Article II(6) of the Constitution).

24. The Council of Europe stands ready to contribute to the reestablishment of the rule of law, the development of an independent judiciary and of police forces operating according to democratic policing principles.

25. The Council notes with serious concern that widespread violations of human rights continue in Bosnia and Herzegovina. The elimination of such violations remains vital to the achievement of a lasting peace.

26. The Council reaffirms that without consistent progress in implementing internationally acceptable standards of human rights in Bosnia and Herzegovina, the international community will not maintain its level of commitment of human and financial resources for reconstruction.

27. The Council therefore calls upon the authorities in Bosnia and Herzegovina to continue to cooperate with the United Nations Commission on Human Rights, the United Nations High Commissioner for Human Rights, the OSCE, the Council of Europe and other intergovernmental or regional human rights missions or organisations monitoring the human rights situation in Bosnia and Herzegovina and contributing to reconciliation among all peoples in the country. The Council welcomes international support for the work of the Ombudsman and the Human Rights Chamber and calls upon Bosnia and Herzegovina to fulfil its obligation to bear the expenses of these bodies. The Council calls for continued support for the Federation Ombudspersons and continued provision by the international community of advisory services and technical cooperation to non-governmental organisations and Bosnia and Herzegovina institutions.

War Crimes

28. The Council reaffirms its strong support for the International Criminal Tribunal for the Former Yugoslavia in carrying out its responsibilities for dispensing justice impartially under the terms of the Peace Agreement. The Council agrees that it will:

- increase pressure on the authorities in Bosnia and Herzegovina and other states, particularly those which have failed to comply with arrest warrants issued by the Tribunal, to cooperate fully with the Tribunal, including by surrendering indictees and providing information to assist in Tribunal investigations. The authorities in Bosnia and Herzegovina will continue to submit all cases involving suspected war crimes to the Tribunal for review prior to arrest or prosecution before national courts;
- provide additional resources to the Tribunal. These resources will be used to enhance information-sharing between the Tribunal, governments and law enforcement agencies, to increase the information-gathering capacity of the Tribunal in relation to all indictees and to provide the necessary material and personnel resources to the Tribunal to carry out its obligations under the Statute and under the "Rules of the Road".

29. The Council charges the Steering Board to consider what further measures can be taken to facilitate the delivery of indictees to the Tribunal for trial.

30. As stated in the Paris Conclusions, the provision of economic reconstruction assistance is closely linked to cooperation in this area. The authorities in Bosnia and Herzegovina are reminded that their obligations under international law take precedence over any provisions in their local or national legislation.

31. The Council emphasises that no indicted person who has failed to comply with an order of the Tribunal may stand as a candidate or hold any appointive, elective or other public office at any level, including military office, in the territory of Bosnia and Herzegovina.

32. The Council notes the agreement of the authorities in Bosnia and Herzegovina that no member of the House of Peoples, the House of Representatives, the Presidency or the Council of Ministers will be prosecuted, arrested or detained, without the consent of the Parliamentary Assembly, unless that person is under indictment by the Tribunal or caught in the act of committing a serious offence.

The Missing

33. The Council welcomes the commitment by the International Committee of the Red Cross (ICRC) to complete by the end of 1996 a list containing all available information on people reported missing, and calls upon the authorities in Bosnia and Herzegovina to provide information and other assistance to the ICRC to help the tracing process.

34. The Council welcomes the commitment of the ICRC to provide an individual response to each tracing request, detailing the measures which have been undertaken to trace the missing.

35. The authorities in Bosnia and Herzegovina have undertaken to provide a suitable legal framework to regularise the legal circumstances of the families of those missing presumed dead once a response to a tracing request has been provided by the ICRC.

36. The authorities in Bosnia and Herzegovina have agreed to allow one another immediate access to potential burial sites for the process of exhumation and retrieval of bodies. The Council stresses the importance of coordinating the many initiatives being undertaken which involve exhumation. In this context it welcomes the central role being played by the Working Group on the Process for Tracing Persons Unaccounted For chaired by the ICRC, and by the Expert Group on the Missing and Exhumation chaired by the High Representative, and commends the efforts of the United Nations Expert on Missing Persons.

37. The Council welcomes the initiative taken by the International Commission on Missing Persons in the Former Yugoslavia (ICMP) to work with the ICRC, the Office of the High Representative and others to secure full cooperation of the Federal Republic of Yugoslavia, the Republic of Croatia and the authorities in Bosnia and Herzegovina in providing information on the missing.

Prisoners

38. The Council calls for an end to the continuing practice of arbitrary arrest and detention which, along with the threat of war crimes charges, substantially impedes freedom of movement. The Council further calls upon the responsible authorities to release all persons detained for war crimes in cases which are not submitted for review to the Tribunal.

39. The Council welcomes the agreement of the authorities in Bosnia and Herzegovina to continue to grant to the ICRC and International Police Task Force unimpeded access to all places of detention and to all prisoners

held in relation to the conflict and its consequences, including prisoners indicted or convicted for violations of international humanitarian law.

IV. CONSTITUTIONAL AND LEGAL MATTERS AND ELECTIONS

Bosnia and Herzegovina and the Entities

40. The Council welcomes the establishment of some of the common institutions of Bosnia and Herzegovina, and urges that the remaining institutions be established without delay. The authorities in Bosnia and Herzegovina are committed to cooperating in the working of these institutions at all levels and to complying scrupulously with the Constitution and the rule of law.

41. The Council underlines that all the political bodies elected on 14 September 1996 must respect the right of persons duly certified as elected by the OSCE to participate fully in the work of those bodies, irrespective of their religious beliefs.

42. The Council stresses the importance of further decisions to implement the Constitution, including agreement on a flag and other symbols of Bosnia and Herzegovina by 15 February 1997.

43. The Council welcomes the progress made in implementing the Constitutions of the Federation of Bosnia and Herzegovina and Republika Srpska. It expresses satisfaction that the Federation of Bosnia and Herzegovina and Republika Srpska have made most of the key changes to their Constitutions necessary to ensure conformity with the Constitution of Bosnia and Herzegovina and calls for the remaining changes to be made promptly referred quickly to the Constitutional Court.

44. The Council recalls that, in accordance with the Constitution of Bosnia and Herzegovina, the exercise of the right of each Entity to establish special parallel relationships with neighbouring states must be consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.

Federation of Bosnia and Herzegovina

45. The Council considers that a fully operational Federation of Bosnia and Herzegovina remains an essential prerequisite for peace and a cornerstone for the successful implementation of the Peace Agreement. To this end, comprehensive implementation of existing Federation agreements must be pursued with vigour.

46. The Council welcomes recent progress in the establishment of Federation structures, especially the convocation of the Cantonal and Federation Assemblies, the designation of the Federation representatives to the Bosnia and Herzegovina House of Peoples, the establishment of the Supreme Court of the Federation, the laws on the Federation flag and coat of arms, and the agreement on the future organisational structures of Sarajevo. The Council urges the Federation Assembly to adopt the proposal for the establishment of the Federation Implementation Council, as agreed at the Federation Forum in Washington on 14 May 1996.

47. The Council urges all those with political responsibility in the Federation to press strongly for the rapid election and appointment of the highest Federation executive officials, and the full integration of administrative, judicial and economic structures on both the Cantonal and the Federation level. Special attention must be given to the implementation of the future organisational structures of Sarajevo.

48. The Council reaffirms that all administrative and other structures in the Federation must now be fully and irreversibly integrated, and calls for the immediate dissolution, or where appropriate transfer to the Federation, of remaining structures of the so-called Croatian Republic of Herceg-Bosna or the Republic of Bosnia and Herzegovina which are not in accordance with the Constitution. In particular the Council deplores the taking over by so-called Herceg-Bosna authorities in Mostar of premises designated for the interim use of the city administration, along with any other actions which have the effect of preventing the effective functioning of the legitimate city authorities.

49. The Federation authorities have agreed to take the necessary measures to ensure full respect for law and order throughout the city of Mostar, the effective operation of joint police, the effective functioning of the unified City Council in Mostar, the provision of adequate accommodation for the city administration in accordance with previous agreements, and the ending of restrictions on access to public assets by Federation officials.

Arbitration of the Brcko Area

50. The Council underlines the obligation of the parties, under the Peace Agreement, to accept the decisions of the Arbitration Tribunal on the issue set out in Article V of Annex 2. It requires the Federation of Bosnia and Herzegovina and Republika Srpska to engage fully in the process in their own best interests. The Council calls upon all those concerned to respect the strategic importance of this question for the whole process of reconciliation within Bosnia and Herzegovina.

Elections

51. The Council welcomes the OSCE's decision to extend the mandate of the OSCE Mission to Bosnia and Herzegovina until 31 December 1997. The Council welcomes also the agreement of the authorities in Bosnia and Herzegovina to OSCE supervision of the preparation and conduct of the municipal elections to be held in 1997, and their agreement to extend the mandate of the Provisional Election Commission until the end of 1997. The Council invites the OSCE to begin work immediately so that the necessary preparations can be completed in good time, and to this end undertakes to support the OSCE's efforts. It calls upon the authorities in Bosnia and Herzegovina to agree by consensus by 31 January 1997 the detailed rules for the municipal elections and to cooperate fully with the OSCE and Provisional Election Commission. It notes the agreement of the authorities in Bosnia and Herzegovina that the municipal elections will be held by the summer of 1997.

52. The Council recognises the political and organisational complexities of the municipal elections. It therefore urges the OSCE, its Head of Mission and the High Representative to continue to coordinate closely and to work with SFOR, IPTF, UNHCR and other agencies on the planning and implementation of the elections process and the management of the post-election period, and on the mechanisms for any necessary election re-runs and the installation of the elected officials. The Council requests the Steering Board and the OSCE Head of Mission to meet quickly, with the appropriate agencies, to agree how best to take work forward in these areas.

53. The Council welcomes the agreement of the authorities in Bosnia and Herzegovina to create the permanent Election Commission, to be established by a law of the Parliamentary Assembly of Bosnia and Herzegovina, with responsibilities to conduct future elections in Bosnia and Herzegovina after the municipal elections have been held and the results certified. The Commission will include both government and opposition political parties. In its preparations for the 1998 elections the Commission will be supported by international experts, whose decision will be final in the event of genuine deadlock.

54. Recalling the decision to align the duration of the first term of each of the bodies elected on 14 September 1996 with the two-year first term of the Presidency, the Council further welcomes the undertaking of the authorities in Bosnia and Herzegovina to cooperate fully in ensuring the holding of free and fair elections in 1998. They have undertaken to comply with the recognised conditions for democratic elections referred to in Article I of Annex 3 of the Peace Agreement, to organise these and all other elections through the permanent Election Commission, and to accept assistance from the OSCE and international election observers. To this end the Parliamentary Assembly of Bosnia and Herzegovina and the legislatures of the Federation and Republika Srpska will adopt or amend election laws.

55. The Council welcomes the commitment of the authorities in Bosnia and Herzegovina to full, free and open political debate, including full participation by and free access for all opposition parties to the mass media.

Standing Committee on Military Matters

56. The Council notes with satisfaction the commitment of the Presidency of Bosnia and Herzegovina to establish at an early date the Standing Committee on Military Matters (SCMM) provided for in the Constitution, to include the Members of the Presidency, the Defence Ministers of the Federation and Republika Srpska and the Chiefs of Staff of the Federation and Republika Srpska, with the participation as observers (for the duration of their terms of office) of the High Representative and the SFOR Commander. The Standing Committee on Military Matters will hold monthly meetings. Any member, and the High Representative and the SFOR Commander or their representatives, will have the right to request a meeting outside that schedule. In areas within the competence of the Joint Military Commission, the decisions of the Joint Military Commission will take precedence over those of the Standing Committee on Military Matters.

Foreign Affairs

57. The Council recalls the responsibility of the Presidency of Bosnia and Herzegovina for appointing Ambassadors under Article V.3 (*b*) of the Constitution. In this context, the Council urges the Presidency to appoint any new or replacement Ambassadors by the end of March 1997. All Ambassadors will represent the Presidency as a whole and the Presidency must have confidence in their capacity to represent Bosnia and Herzegovina.

Laws

58. The Council urges the Parliamentary Assembly of Bosnia and Herzegovina to adopt at an early date laws on the Central Bank, passports, citizenship, foreign trade, foreign investment, customs tariffs, customs policy, immunity, Presidency vacancies and external state debt.

V. Refugees and Displaced Persons

59. The Council reaffirms that a central requirement of the Peace Agreement is the creation and maintenance of suitable conditions for the early, safe and orderly return of refugees and displaced persons to their homes of origin or to other places of their choice.

60. The Council pays tribute to the efforts of host countries. It welcomes those 250,000 returns that have taken place since the signing of the Peace Agreement. It warmly commends the efforts of humanitarian agencies, including UNHCR, and donors, working with local authorities to focus resources and projects on designated priority areas to ensure that refugees from those areas have homes and rudimentary infrastructure to which to return. It commends the integrated approach of the European Commission in the Una Sana Canton. Depending on the results of this approach the European Commission intends to extend it to other areas.

61. The Council recognises that serious obstacles to return remain, and calls upon the authorities in Bosnia and Herzegovina to eliminate them, including where appropriate by the adoption of comprehensive amnesties, and to adhere to their commitments under the Peace Agreement.

62. The Council welcomes the decision of the United Nations High Commissioner for Refugees to convene a meeting of the Humanitarian Issues Working Group on 16 December 1996 to discuss a two-year strategic plan to facilitate the early, phased, safe and orderly return of refugees and displaced persons.

63. The Council calls for financial support to UNHCR to enable it to carry out the following programme of activities designed to set practical arrangements in place to smooth the path for individuals wishing to return: to implement a Comprehensive Plan of Action in cooperation with countries of abode and Bosnia and Herzegovina and the relevant international organisations, including the Office of the High Representative, to facilitate return;

- to target priority areas for return;
- to develop programmes for the integration of refugees and displaced persons opting to settle in areas of their choice other than their previous homes;
- to focus on local capacity building to build up alternative structures and democratic forces;
- to expand the Bosnian Women's Initiative;
- to provide accommodation for a further 60,000 to 75,000 returnees and relocatees by rehabilitating 12,000 to 15,000 houses and apartments in 1997;
- to provide basic reconstruction materials for home repair;
- to expand the programme of rehabilitation of healthcare and school buildings;
- to establish advice and information centres in Bosnia and Herzegovina and to provide repatriation advice for refugees in host countries.

64. The Council believes that it is necessary that decisions on economic reconstruction and the political efforts of the Office of the High Representative should take account of the importance of furthering the return of refugees and displaced persons and invites the UNHCR, the European Commission, the World Bank and the Office of the High Representative to work together to develop these links.

65. The Council welcomes the foundation on 30 October 1996 of the Coalition for Return, comprising associations of refugees and displaced persons from within and outside Bosnia and Herzegovina, including members of all communities. The Council takes note of the Coalition's statement of 24 November 1996, and supports the efforts of the Coalition to achieve the objectives of Annex 7 of the Peace Agreement. The Council calls on the authorities in Bosnia and Herzegovina and neighbouring countries to cooperate with the Coalition and to facilitate its work.

66. The Council agrees on the need for a regional approach to refugee issues. There are substantial problems in the countries of the region, not only in Bosnia and Herzegovina, but also in respect of the right of refugees to return to the Republic of Croatia and to the Federal Republic of Yugoslavia. The Council will monitor strictly the efforts of regional countries to alleviate the present refugee and displaced persons situation, to facilitate returns and to prevent further displacement, and will take further measures accordingly.

67. The Council welcomes the undertaking of the International Organisation of Migration to continue its activities facilitating the return of refugees residing outside the countries of the former Yugoslavia. The Council commends the excellent work of the World Health Organisation, the International Committee of the Red Cross, the Federation of Red Cross and Red Crescent Societies and many other non-governmental organisations in caring for refugees and displaced persons from Bosnia and Herzegovina.

68. The Council stresses the importance of the authorities in Bosnia and Herzegovina fulfilling their obligations with regard to freedom of movement in order to create conditions for refugee return. It notes that this will require close co-operation between the High Representative, IPTF, SFOR and the agencies involved.

69. The Council recognises that all the above tasks will require further support by the international community and calls for generous help for the work of the humanitarian agencies and others involved in the reconstruction process. In this connection, the Council takes note of the United Nations Consolidated Inter Agency Appeal for 1997. The Council urges agencies and governments concerned with reconstruction and development programmes to ensure where possible that such efforts meet the infrastructure needs required to facilitate the return of refugees and displaced persons, particularly to the UNHCR target areas.

70. The Council welcomes the establishment on 15 October 1996 by the High Representative, UNHCR, IFOR, IPTF and the European Commission of a Procedure for Return and Reconstruction in the Zone of Separation which satisfies both the right to return and the requirements for security. The

Council urges the authorities in Bosnia and Herzegovina to give full support to this Procedure, to enable its practical implementation. Comparable arrangements should be developed as necessary elsewhere in Bosnia and Herzegovina.

71. The Council will strengthen its support for the work of the Commission for Real Property Claims of Displaced Persons and Refugees which decides claims for the return of property or for just compensation in lieu of property. The Council urges the authorities in Bosnia and Herzegovina to implement new property legislation in accordance with the Peace Agreement, and to repeal contradictory laws.

VI. FREEDOM OF MOVEMENT AND COMMUNICATION

72. The Council recalls the provision in Article I of the Constitution of Bosnia and Herzegovina on freedom of movement of persons, goods, services and capital throughout Bosnia and Herzegovina. The Council reaffirms the critical importance of this provision and requires that immediate practical steps be taken to enhance freedom of movement and communication. These objectives must be pursued vigorously to attract international investment. It therefore welcomes the commitment of the authorities in Bosnia and Herzegovina to take the following steps:

- full and immediate implementation of the Annex to the Agreed Statement of 2 June 1996 in Geneva, under which the authorities in Bosnia and Herzegovina agreed to recognise the validity of drivers' licences, registration plates, vehicle registration and vehicle insurance issued by both Entities; reach agreement on a uniform registration plate; and ensure that local authorities implement this fully;
- early progress on linking the telephone systems in Bosnia and Herzegovina, with a single international dialling code, including a sub-code for each Entity. As a first step, the authorities in Bosnia and Herzegovina agree to re-establish inter-Entity telephone connections making use of all available technical assistance. To this end, the Council decides that no new assistance will be offered to the telecommunications sector unless connections between the systems are included in these efforts;
- full observance of the "rules of the road" agreed in Rome on 18 February 1996;
- further immediate action to establish Bosnia and Herzegovina-wide bus and rail services;
- early establishment of a commonly-administered airspace for Bosnia and Herzegovina. Encouragement of civil domestic air services connecting the key cities in Bosnia and Herzegovina. In particular, the authorities in Bosnia and Herzegovina have recognised that there can be only one legal authority in Bosnia and Herzegovina dealing with civil aviation and airspace issues—the Bosnia and Herzegovina Civil Aviation Authority—and have undertaken to work collectively, on an equal basis, in this organisation.

73. The Council remains concerned at the lack of progress in this area. Further measures to promote freedom of movement must be developed, and sanctions considered for violations of rights guaranteed by the Peace Agreement. The Council decides that an integrated strategy will be implemented urgently to secure full compliance with the requirements of the Peace Agreement on freedom of movement, and requests the High Representative to form a task force of appropriate agencies and interested countries to develop the necessary action plan.

VII. POLICE ASSISTANCE

74. The Commissioner of the International Police Task Force (IPTF) briefed the Council on the continuing requirements to advise, train and assist law enforcement personnel in Bosnia and Herzegovina. The Council thanked the IPTF for its work since December 1995.

75. The Council emphasises that restoring law and order is essential to establishing a durable peace in Bosnia and Herzegovina.

76. The Council welcomes:

- the request of the authorities in Bosnia and Herzegovina that the United Nations Security Council extend the mandate of the IPTF for a further year, as an UNCIVPOL operation, to carry out the tasks set out in Annex 11 of the Peace Agreement;
- the reaffirmation by the authorities in Bosnia and Herzegovina of their undertaking in the Peace Agreement to cooperate fully with the IPTF;
- the undertaking of the authorities in Bosnia and Herzegovina to restructure local police forces in line with democratic principles and plans prepared under the guidance of the IPTF. Such plans will be submitted to the IPTF Commissioner by not later than 31 January 1997, and a progress report made by 31 March 1997, with quarterly reports thereafter;
- the agreement of the authorities in Bosnia and Herzegovina to implement the guidelines on democratic policing principles agreed with the IPTF, with full support for human rights;
- the agreement of the authorities in Bosnia and Herzegovina to accelerate vetting of police officers and to take prompt and effective action in respect of any officer who is notified to them by the IPTF Commissioner as failing to cooperate with the IPTF or failing to adhere to democratic policing principles;
- the agreement of the authorities in Bosnia and Herzegovina to investigate urgently with the assistance of the IPTF, or to facilitate an IPTF investigation into, cases in which a police officer or an official of any other law enforcement or judicial agency is accused of involvement in any violation of human rights or fundamental freedoms. The results of any such investigations will be reported to the concerned Entity and relevant international bodies;
- the agreement of the authorities in Bosnia and Herzegovina to make arrangements for joint policing, with personnel from both the Federation and Republika Srpska, to ensure the security of common institutions;
- the measures agreed between the IPTF and IFOR/SFOR to provide for the security of IPTF personnel.

77. The Council calls on the international community to provide the personnel, equipment and support required to maintain the IPTF; requests that contributing nations assure the highest possible level of quality and experience of their candidates; encourages contributions of personnel to IPTF; and requests the IPTF to carry out the tasks set out in Annex 11 of the Peace Agreement, and in particular to:

- provide advice and training to assist in the restructuring of local police forces in accordance with the plans referred to above and in line with the democratic policing principles established under the authority of the IPTF; this includes advice on selection, promotion and dismissal of officers and supervisors;
- provide in particular training for senior officers from the local police forces and for trainees from the law enforcement training institutions, in areas of specialist expertise including operations against drugs and organised crime, human rights and public order policing;
- follow up the United Nations programme of assistance for the local police forces guided by the Conference on the IPTF held in Dublin on 28 September 1996, which called for significant donor contributions, including equipment. This support will only be given to those police forces carrying out restructuring plans following IPTF guidelines and democratic principles;
- monitor the treatment of persons detained by the local police or the military authorities or imprisoned by the judicial system, to ensure their right to due process is respected and enforced, including monitoring prisoners where necessary at any detention or prison facility;
- continue to work with IFOR/SFOR and the Entity police forces in coordinating plans for response to threats to local public safety and security;
- carry out investigations of human rights abuses by law enforcement officers.

VIII. Economic Development and Reconstruction

78. The Council recognises that the primary responsibility for the economic development of Bosnia and Herzegovina rests with the people and authorities of the country. Successful economic development will depend on the adoption of sound, market-based economic policies and the establishment of effective institutions. To encourage the achievement of a self-sustaining economic structure, the emphasis of the international community will gradually switch from reconstruction aid to support for appropriate economic policies and reforms.

79. The Council notes that:

- the authorities in Bosnia and Herzegovina have committed themselves to ensuring that the Central Bank will be operational as early as possible in 1997 in order to carry out the tasks set out in Article VII of the Constitution, on the basis of a Central Bank law approved by the Parliamentary Assembly;
- the authorities in Bosnia and Herzegovina are committed to restructuring their economies on the basis of market-oriented economic policies and significant privatisation of publicly-owned companies, and to establishing a sustainable fiscal framework which addresses revenue and expenditure responsibilities for all levels of government, including external debt obligations, and provides for reform where necessary and harmonisation of customs practices, tariffs, duties and tax policies;
- the authorities in Bosnia and Herzegovina agree to take urgent practical steps to ensure full freedom of movement of persons, goods, services and capital throughout Bosnia and Herzegovina, which is an essential condition for promoting inter-Entity trade and economic development. This includes the establishment of a fully functioning customs service in each of the Entities which should operate on the basis of the customs policies and tariffs to be agreed by the common institutions, facilitating establishment of border crossing points along the entire state border line where appropriate, as well as an effective and fully functioning payments system;
- Bosnia and Herzegovina has undertaken to develop urgently a foreign trade policy with the aim of promoting an open trading policy and encouraging inward investment;
- the authorities in Bosnia and Herzegovina have agreed to cooperate closely with the IMF, the World Bank, the European Commission and the Office of the High Representative on structural reform, and with the IMF in maintaining financial stabilisation, undertaking institutional reform and developing their long-term economic strategy, with the aim of agreeing an IMF-supported economic adjustment programme as soon as possible.

80. The Council welcomes the commitment of the authorities in Bosnia and Herzegovina to passing laws to implement the commitments set out above, whether at the central or Entity level, including legislation on the 1997 budgets and fiscal framework, external debt, foreign trade, tariffs, foreign investment and banking. It also welcomes their undertaking to establish at the central and Entity levels the legal framework for a market-oriented economy, including in the areas of property and contract rights and labour law.

81. The Council commends the work of the donor community in Bosnia and Herzegovina in 1996, including the World Bank and the European Commission. It recognises that the future economic development of Bosnia and Herzegovina will require further support from the international community. Such support will be forthcoming during the consolidation period, on condition that the authorities in Bosnia and Herzegovina comply fully with the provisions of the Peace Agreement, as well as the commitments on economic development undertaken at this Conference.

82. The Council stresses that, while there is a continuing need for reconstruction assistance from the whole donor community, especially in key areas such as utilities, transport and telecommunications infrastructure and housing, the primary objective of future assistance should be to promote the economic development of Bosnia and Herzegovina, including durable employment, structural reform and programmes that link and integrate the Entities. To this end, it endorses the indications given by the World Bank and the European Commission with respect to their programmes for Bosnia and Herzegovina for 1997. It also welcomes the fact that the European Commission has begun discussions with Bosnia and Herzegovina on the possibility of establishing a contractual relationship between Bosnia and Herzegovina and the EU, designed to promote closer trading links.

83. The Council encourages the international community to consider substantial debt relief for Bosnia and Herzegovina in the appropriate fora, including the London and Paris Clubs, once an appropriate package of economic reforms has been agreed with the IMF.

84. The Council underlines that the success of all forms of economic assistance depends on that assistance being well targetted and properly implemented, and stresses the need for the closest possible cooperation between the authorities in Bosnia and Herzegovina, the international financial institutions, other relevant international organisations and bilateral donors.

IX. Mine Removal

85. The Council notes that although the efforts of the international community, working with the United Nations-directed Mine Action Centre (MAC), have put in place a command and control infrastructure for future demining operations, the demining programme for Bosnia and Herzegovina has made insufficient progress. It recalls the responsibility of the authorities in Bosnia and Herzegovina for the long-term task of demining. In particular, it welcomes the agreement of the authorities in Bosnia and Herzegovina to establish a fully representative Bosnia and Herzegovina Commission for Demining by 31 January 1997. This Commission, assisted by the MAC, will channel resources for mine clearance to the Entities who, in 1997, should have extensive and efficient civilian mine clearing operations underway. The Commission will also maintain a central data-base and mapping facility, set standards for mine clearance operations and coordinate mine clearance projects which cross the Inter-Entity Boundary Line.

86. The Council notes that the Entities will adhere to the standards set by the Bosnia and Herzegovina Commission. The Entities, in cooperation with the Commission and the MAC, will set up Regional Centres for demining in Banja Luka, Bihac, Mostar and Tuzla by 28 February 1997.

87. In order to improve upon progress in 1996, the Council requires the authorities in Bosnia and Herzegovina to:

- use their military forces for demining according to internationally recognised standards;
- assist the MAC by providing data and assigning priorities to proposed demining projects;
- support the demining effort by exempting all aspects of demining operations from taxes and customs duties.

88. The Council urges the authorities in Bosnia and Herzegovina to:

- reach agreement with the MAC for the transfer of facilities from the MAC's central and regional offices to the authorities in Bosnia and Herzegovina by 31 December 1997;
- nominate qualified candidates for MAC coordinated training programmes;
- devise a plan to reduce their holdings of anti-personnel mines by 1 October 1997, and in the meantime not to acquire additional stocks of mines.

X. Independent Media

89. The authorities in Bosnia and Herzegovina reaffirm their commitment to the right to freedom of expression set out in the European Convention for the Protection of Human Rights and Fundamental Freedoms and the International Covenant on Civil and Political Rights. The authorities acknowledge that freedom of expression, including a free and independent media, is an essential precondition for ensuring a democratic society in Bosnia and Herzegovina. The authorities undertake to: agree a new legal

framework which will enable the authorities in Bosnia and Herzegovina to facilitate the creation and operation of independent broadcasting stations and networks throughout Bosnia and Herzegovina. Transparent and non-discriminatory procedures will be established by the authorities in Bosnia and Herzegovina, who are supplied by the ITU with frequencies, for licences to be issued to such stations and networks, whether they are granted at national, Entity or Cantonal level. The authorities in Bosnia and Herzegovina have a particular responsibility for ensuring that cross-Entity networks have the opportunity to receive frequencies, and they will look favourably on all such applications;

- take the necessary measures so that technical equipment and programming material for such stations and networks are exempt from customs duties or other import taxes;
- issue the necessary licences to enable the Open Broadcast Network (OBN) and TV-IN to operate throughout Bosnia and Herzegovina and to permit the establishment of additional facilities to enable OBN and TV-IN to be received throughout Bosnia and Herzegovina;
- issue the necessary licences to enable OBN and TV-IN to broadcast throughout Bosnia and Herzegovina. The Entities will ensure that additional facilities can be established to enable programming to be received throughout Bosnia and Herzegovina;
- ensure that any laws and regulations governing the media are fully consistent with relevant international agreements, respect the right to freedom of expression and are applied in a non-discriminatory way;
- agree a new legal framework which will permit the establishment and circulation of newspapers, magazines and other published material by repealing all restrictive laws or administrative regulations governing the right to set up newspapers, magazines and other published material and by permitting the import of equipment, other necessary material and newsprint without restriction.

90. The Council recognises the pressing importance of independent media questions and agrees on the need to contribute to the funding of the second phase of the Open Broadcast Network project under its two-year consolidation plan. The Council welcomes the reinforced role of the Office of the High Representative in co-ordinating assistance to the independent media.

91. It also welcomes the intention of the European Commission to contribute to the drawing up of a longer-term framework for media development, following on the recommendations of the Conference on the Role of the Media in Support of the Peace Process in the Former Yugoslavia, organised by the Commission on 29 November.

XI. BOSNIA AND HERZEGOVINA AND THE EUROPEAN INSTITUTIONS

92. The Council reaffirms that Bosnia and Herzegovina's future lies in participation in a European family of nations committed to democratic principles, free markets and open trading policies.

93. The Council notes the conclusions of the Council of Ministers of the European Union on 28 October 1996, concerning future relations between the European Union and countries of the former Yugoslavia. It notes in particular that the development of these relations will be conditional upon full support for the Peace Agreement, including respect for Bosnia and Herzegovina as an independent, democratic, multi-ethnic state with secure borders. Respect for democratic norms and human and minority rights are key factors in the implementation of this approach.

94. In this context, the Council welcomes the European Union's intention to consider proposals from the European Commission, in the light of its ongoing discussions with the authorities of Bosnia and Herzegovina, for a contractual relationship between the European Union and Bosnia and Herzegovina.

95. The Council recalls Bosnia and Herzegovina's application to become a full member of the Council of Europe, in which it expressed its readiness to respect the rule of law and the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms. It encourages the efforts of Bosnia and Herzegovina, with the support of the international community, towards forming a democratic society which will meet Council of Europe membership standards at the earliest possible moment.

XII. CO-ORDINATION STRUCTURES

96. The Council congratulates the High Representative and his staff on their exceptional achievement in Bosnia and Herzegovina in 1996. The High Representative's contribution has been crucial to the civilian implementation achievements of the last twelve months.

97. The Council agrees that civilian implementation tasks will be of the highest priority in 1997, and welcomes the fact that the High Representative's co-ordination structures established in the Peace Agreement and elaborated in the Conclusions of the 1995 London Peace Implementation Conference and the 14 November 1996 Paris Ministerial Meeting of the Steering Board will continue on a reinforced basis in 1997.

98. The Council undertakes to do everything possible to meet requests from the High Representative for staff and other support.

99. The Council further decides that:

- the Peace Implementation Council (PIC) will continue in 1997 as the overall structure supervising peace implementation in Bosnia and Herzegovina;
- the Steering Board of the PIC will continue to provide the High Representative with political guidance on peace implementation. It will continue to meet monthly, inviting representatives of relevant international organisations to attend as appropriate.
- in the event of a vacancy, following consultation with members of the PIC, the Steering Board will designate a High Representative.

100. On funding, the Council agrees that Governments that second staff to the High Representative will continue to bear the cost of salaries and any other national emoluments. Governments sending representatives to attend meetings called by the High Representative will bear the cost of travel and accommodation. A budget to cover the future operational costs of the PIC, notably the cost of the headquarters and offices of the High Representative, will be funded on the key agreed by members of the Steering Board, together with voluntary contributions from other members of the PIC.

101. The Council, recalling the Paris Conclusions, agrees that:

- the High Representative will be based in Sarajevo with a subsidiary office in Brussels;
- the High Representative will continue to chair the Steering Board, Principals' meetings in Sarajevo, the Economic Task Force and other meetings with key implementation agencies;
- the High Representative will open regional offices throughout Bosnia and Herzegovina as circumstances require, and subject to resource constraints;
- the High Representative will report periodically to the United Nations Security Council, copying his report to the authorities in Bosnia and Herzegovina;
- the High Representative will have the authority to make recommendations to the authorities in Bosnia and Herzegovina and the PIC.

102. The Council underlines the importance of providing an economic and political framework for the international community's work on reconstruction. It therefore:

- welcomes the undertaking of the international agencies to continue to hold regular meetings of their senior representatives in Sarajevo in the framework of the Economic Task Force, under the chairmanship of the High Representative, and of all donors to endeavour to implement the conclusions of the Economic Task Force on the priorities and principles of international reconstruction assistance, taking into account their mandates, policies and procedures;

- notes that the Economic Task Force will monitor, report on and support the implementation effort with the objective of helping to avoid duplication, accelerating disbursement of pledged funds, ensuring coverage of priority projects and eliminating obstacles created by the authorities in Bosnia and Herzegovina to the timely completion of projects;
- welcomes the agreement of the World Bank, the European Commission, the EBRD and others to support the Economic Task Force, notably with secondment of personnel to its Secretariat.

103. The Council takes note of reports from the working groups on State Succession and Humanitarian Issues and on Ethnic and National Communities in Bosnia and Herzegovina and in Neighbouring Countries.

XIII. SECURITY MATTERS

104. The Council notes the successful completion of IFOR's mission. Recognising the continuing importance of a stable and secure environment, including for a continued civil effort in Bosnia and Herzegovina, the Council welcomes the confirmation by the Presidency, on behalf of Bosnia and Herzegovina, including its constituent Entities, of the following understandings:

- that Bosnia and Herzegovina welcomes a follow-on stabilisation force (SFOR) to be organised and led by the North Atlantic Treaty Organisation;
- that Bosnia and Herzegovina welcomes and invites action by the United Nations Security Council to continue the authorisation granted in paragraphs 14 to 17 of its resolution 1031 (1995) with respect to the follow-on force, and that it will co-operate fully;
- all other understandings as set out in the letter dated 29 November 1996 from the Secretary General of the North Atlantic Treaty Organisation.

105. The Council further welcomes the confirmation on behalf of the Republic of Croatia and the Federal Republic of Yugoslavia of corresponding understandings, and in particular notes the agreement of the authorities concerned to extend their commitments regarding access and status of forces, as set out in the letters attached to Annex 1-A of the Peace Agreement.

DOCUMENT S/1996/1015

Report of the Secretary-General on the implementation of Security Council resolution 986 (1995)

[*Original: English*]
[*9 December 1996*]

1. The present report is submitted to the Security Council pursuant to paragraph 13 of Security Council resolution 986 (1995), in which the Council requested me to report to it when I had completed the actions necessary to ensure the effective implementation of resolution 986 (1995). In my interim report of 25 November 1996 [*S/1996/978*], I informed the Council of the actions that had been taken to that date.

2. Subsequent to that report, on 27 November, the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait approved the pricing mechanisms for loadings of crude oil in December 1996 that had been submitted by the State Oil Marketing Organization of Iraq.

3. From 27 November to 4 December, an advance team of technical experts from Lloyd's Register inspected the designated entry points in Iraq and assessed the logistical requirements in anticipation of the deployment of the independent inspection agents who will be confirming the arrival in Iraq of the goods purchased from the escrow account. The team received the full cooperation of Iraqi officials, who offered office accommodation and other facilities to enable the inspection agents to perform their functions.

4. From 4 to 8 December, technical experts from Saybolt Nederland BV inspected the pipeline metering station near Zakho and performed the necessary pressure testing of the metering equipment. Based on their technical findings, the experts were able to certify the reliability of the metering equipment.

5. In view of the above, I authorized the dispatch of the 14 independent inspection agents from Saybolt to their designated duty stations at the Mina al-Bakr oil terminal, the pipeline metering station near Zakho and at the Ceyhan oil terminal. They have since been deployed to their duty stations. I have also authorized an initial number of 13 independent inspection agents from Lloyd's Register to proceed to Iraq in order to take up their designated functions. It is my intention to request the remaining 19 inspection agents to proceed to Iraq as soon as it becomes operationally necessary. The four oil overseers have also been requested to return to New York to resume their functions.

6. On 7 December, an advance team was sent to Iraq by the Department of Humanitarian Affairs of the Secretariat in order to put in place the final arrangements for the implementation of the humanitarian activities of the United Nations Inter-Agency Humanitarian Programme, and the observation and reporting mechanism. The selection of core personnel required for the initial phase of the programme has been completed and action is being taken to deploy observers and programme staff on an urgent basis.

7. As noted in my interim report, an account has been opened at the New York branch of the Banque nationale de Paris. That account is now ready to receive deposits.

8. In accordance with paragraph 13 of Security Council resolution 986 (1995) and in view of the arrangements that have been made to date, I am satisfied that all the actions necessary to ensure the effective implementation of resolution 986 (1995) have been concluded. Therefore, the Secretariat stands ready to carry out its responsibilities as of 0001 Eastern Standard Time on the day after the President of the Security Council has informed the members of the Council that he has received the present report, in accordance with the decision of the Council in paragraph 3 of resolution 986 (1995).

DOCUMENTS S/1996/1016 AND Add.1

Report of the Secretary-General on the United Nations Peacekeeping Force in Cyprus for the period 11 June to 10 December 1996

DOCUMENT S/1996/1016

[*Original: English*]
[*10 December 1996*]

I. INTRODUCTION

1. The present report on the United Nations operation in Cyprus covers developments from 11 June 1996 to 10 December 1996 and brings up to date the record of activities of the United Nations Peacekeeping Force in Cyprus (UNFICYP) pursuant to Security Council resolution 186 (1964) of 4 March 1964 and subsequent Council resolutions, most recently resolution 1062 (1996) of 28 June 1996. A separate report will be issued on my mission of good offices.

II. ACTIVITIES OF THE FORCE

A. *Maintenance of the ceasefire and the military status quo*

2. The period under review has seen a level of violence and an increase in tension along the ceasefire lines unparalleled since 1974. Tension rose in early August 1996 in anticipation of a demonstration organized by the Cyprus Motorcycle Federation. First announced in January 1996, it was to take the form of a symbolic motorcycle ride, undertaken by Greek Cypriots and persons from other countries, originating in Berlin and ending in Kyrenia on 11 August. This meant that the demonstrators intended to cross the United Nations buffer zone as well as the Turkish forces ceasefire line, a course of action that was bound to cause the utmost provocation. During the period leading up to the demonstration, the media on both sides publicized a large number of increasingly acerbic statements by the demonstration's organizers and by Greek Cypriot political leaders, as well as counter statements by the Turkish Cypriot side.

3. During this period, the United Nations was in frequent contact with the government authorities, including the Cyprus Police, urging them to prevent any violation of the ceasefire lines or of the United Nations buffer zone. On the eve of the demonstration, I appealed publicly to the Government of Cyprus to take effective measures in exercise of its responsibilities to prevent any unauthorized entry into the United Nations buffer zone.

4. On the morning of 11 August, however, the demonstrators proceeded from the stadium in Nicosia, where they had assembled, to points east of Nicosia. Cyprus police were on hand, but remained largely passive. In the meantime, a major counter-demonstration had begun in north Nicosia, including a significant number of members of the "Grey Wolves", an ultra-nationalist Turkish organization, who had arrived from Turkey.

5. The Greek Cypriot demonstrators entered the United Nations buffer zone at several points, approached the ceasefire line of the Turkish forces, and clashed with Turkish troops and Turkish Cypriot police as well as with Turkish Cypriot counter-demonstrators. The most serious clash occurred near Dherinia, where a large group of Greek Cypriots were allowed to cross the National Guard ceasefire line. In the meantime, the Turkish forces allowed counter-demonstrators and Turkish Cypriot police to cross a restricted military area and to enter the United Nations buffer zone. They proceeded to beat the Greek Cypriots with batons and iron bars, killing one civilian.

6. On 14 August, following the funeral of the Greek Cypriot who had been beaten to death, some 200 Greek Cypriots entered the buffer zone at Dherinia and approached the Turkish forces' ceasefire line. Most were stopped by UNFICYP and were about to be moved out of the buffer zone when one demonstrator broke free from the main group and ran towards a Turkish Cypriot checkpoint, closely pursued by UNFICYP soldiers. While attempting to climb a flagpole flying a Turkish flag just behind the Turkish forces' ceasefire line, he was shot five times from the Turkish/Turkish Cypriot side. In addition, Turkish and/or Turkish Cypriot uniformed personnel proceeded to fire some 25 to 50 rounds indiscriminately into the crowd inside the buffer zone. As a result, two British UNFICYP soldiers and two Greek Cypriots were wounded.

7. During the clashes on 11 and 14 August, a total of 19 UNFICYP soldiers were injured.

8. Following these clashes, relations between the two sides became very tense. Gustave Feissel, my Deputy Special Representative in Cyprus, made strenuous efforts to contain the situation and to prevent further acts of violence. On 8 September, however, two Turkish Cypriot soldiers were shot by unknown persons in the area of Ayios Nikolaos, north of the link road in the Eastern British Sovereign Base Area (SBA), an area where the ceasefire line is patrolled by SBA police and UNFICYP but where there is no United Nations buffer zone. One of the soldiers was killed and the other seriously wounded. The Turkish Cypriot side has stated that this killing was carried out by Greek Cypriot or Greek military personnel, a charge denied by the Greek Cypriot side.

9. During the demonstrations in August, UNFICYP had operated at a heightened state of alert for a number of days. Following the shooting of the two Turkish Cypriot soldiers, UNFICYP operated on an increased level of alert for 29 days, with over 80 per cent of the Force deployed in the buffer zone on a continuous basis. UNFICYP also maintained an increased presence in the mixed village of Pyla during this period.

10. The violent incidents of August and September also had the effect of setting the opposing forces on the island

on edge. On a number of occasions, both forces moved forward of their lines into the United Nations buffer zone, and in some cases attempted to restrict UNFICYP operations. This was an almost daily occurrence in areas where the delineation of the ceasefire line is disputed by the Turkish forces. Instances of the firing of weapons have increased, although in most cases these consisted of negligent discharges that can be explained by a lack of discipline and training. In a serious incident on 13 October, however, a Greek Cypriot was shot three times and killed by a Turkish Cypriot soldier after crossing the Turkish forces' ceasefire line. On 29 October, a British military patrol was fired at from a Turkish sentry post when it inadvertently crossed the Turkish forces' ceasefire line. Along the whole buffer zone, but particularly in those areas where the opposing forces are in close proximity to each other, there has been a rise in instances of weapons being pointed or cocked, stone throwing and verbal abuse.

11. In all these cases, UNFICYP intervened with the military authorities on both sides to correct violations and to prevent any escalation.

12. There was also an increase in the number of incidents in which UNFICYP soldiers were threatened at gunpoint by soldiers of either side, and on four occasions UNFICYP personnel came under fire. On 13 September, a Turkish soldier fired several rounds at a United Nations helicopter flying inside the buffer zone west of Astromeritis. On 20 September, a Turkish soldier fired two rounds at a United Nations patrol east of Nicosia. On 26 September, several bursts of automatic fire, totalling some 30 rounds, were fired from the National Guard ceasefire line in the area of a United Nations observation post south-east of Nicosia. (The National Guard denied any involvement in the incident.) Finally, on 16 November near Ayios Ioannis, a Greek Cypriot hunter fired his shotgun directly at UNFICYP soldiers inside the buffer zone. A suspect was apprehended by the Cyprus police and an investigation is under way.

13. As in the past, there were a number of air violations of the status quo, mainly in connection with the annual exercises of the National Guard (4-7 October) and of the Turkish forces (4-7 November). Greek military aircraft took part in the National Guard exercise, which included the dropping of live ordnance, the dropping of parachutists and landings at Paphos airport. Similarly, Turkish military aircraft took part in the Turkish forces' exercise, and landed at Lefkoniko airport. In addition, six F-5 aircraft of a Turkish Air Force aerobatics detachment flew low over a parade in north Nicosia, and briefly over the buffer zone, on 15 November.

14. UNFICYP continued to monitor the status quo in the fenced area of Varosha. There were some cases of looting, which were protested by UNFICYP to the Turkish forces, who were reminded once again that the United Nations holds the Government of Turkey responsible for the maintenance of the status quo in the fenced area of Varosha. In addition, buildings continued to be used to house students.

B. *Implementation of paragraphs 4 to 9 of resolution 1062 (1996)*

15. With regard to the level of military forces and armaments on the island, there was no significant change on the Turkish side, which maintained a strength of some 30,000 Turkish and 4,500 Turkish Cypriot troops. On the government side, the National Guard acquired 27 modern T-80UM and 52 AMX-30 main battle tanks, for a total of 123 main battle tanks; the Guard's strength stands at approximately 11,500 troops.

16. As the events reported in the previous section indicate, there was no progress on the question of reciprocal measures to prohibit live ammunition or weapons, other than hand-held weapons, along the ceasefire lines. Nor was there any progress on the question of an extension of the 1989 unmanning agreement. In October, UNFICYP presented to the military authorities on both sides specific proposals for (*a*) the extension of unmanning to the areas where the military on the two sides remain in close proximity to each other; (*b*) the prohibition of loaded weapons along the ceasefire lines; and (*c*) the adoption of a code of conduct, based on the concept of minimum force and proportionate response, to be followed by troops on both sides along the ceasefire lines. The proposed measures are mutually reinforcing and should be treated as a package. They are modest and would not affect the security of the forces or the population on either side. Both sides have agreed to consider the UNFICYP proposals without preconditions and as an integrated whole and discussions are currently under way.

17. The National Guard has continued its military construction programme and, in particular, is currently undertaking construction works in and around the Nicosia Central Prison, close to a sensitive area of the buffer zone. Based on observation from the air, the construction would appear to be intended as a military position. In accordance with established practice, UNFICYP has repeatedly protested the construction and requested access to the site for inspection, but so far access has been denied. For their part, the Turkish Forces have reacted by carrying out construction in the same area. This has also been protested by UNFICYP.

18. There are 39 minefields and booby-trapped areas within the buffer zone, and a further 71 are located on either side within 500 metres of it. UNFICYP has requested their removal by the forces of the two sides, so far with little effect.

C. *Restoration of normal conditions and humanitarian functions*

19. UNFICYP has continued its efforts to promote and facilitate bicommunal events with a view to increasing communication and cooperation between the two communities. These occasions were organized by the United Nations, embassies of several interested Governments and non-governmental organizations. One notable event was an open house organized by UNFICYP on 24 October 1996, when over 3,000 Greek Cypriots and Turkish Cypriots joined United Nations personnel at the Ledra Palace Hotel in the buffer zone in Nicosia to celebrate United Nations Day.

20. The Turkish Cypriot authorities continued to insist on deciding on the participation of Turkish Cypriots in such events on a case-by-case basis. Authorization was often denied at little or no notice and with no reason provided. Since the latter part of October, a number of Greek Cypriots have been demonstrating at the South Ledra checkpoint in Nicosia with the stated purpose of dissuading foreign tourists from crossing to the northern part of the island. At times, they have also impeded the freedom of movement of United Nations and diplomatic personnel. These demonstrations have contributed to a climate of tension and ill-will between the two sides. UNFICYP has urged the Government to take the necessary measures to ensure that movement through the South Ledra checkpoint is not impeded or deterred. For its part, the Turkish Cypriot side responded by preventing bicommunal events, with very few exceptions.

21. UNFICYP continued to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island and Turkish Cypriots living in the southern part. There are now 486 Greek Cypriots living in the Karpas area and 187 Maronites in the Kormakiti region. Of the Turkish Cypriots living in the southern part of the island, 343 are known to UNFICYP. The living conditions of the Greek Cypriots and the Maronites in the northern part of Cyprus have not changed [*see S/1996/411, paras. 22-25*] and there has been no further progress on the implementation of the recommendations arising out of the humanitarian review undertaken by UNFICYP in 1995 [*see S/1995/1020, paras. 20-25, and annexes*].

22. Following the incidents that took place in August and September 1996, UNFICYP was contacted by a number of Turkish Cypriots living in the southern part of the island who expressed concern for their safety. As a result, United Nations civilian police increased their visits to Turkish Cypriots. At the beginning of December, UNFICYP opened a liaison office at Limassol to facilitate access to the Force by Turkish Cypriots living in the southern part of the island.

23. The Turkish Cypriots living or working in the southern part of the island and in the buffer zone have been affected adversely by the aftermath of the incidents of recent months. Most, including the Turkish Cypriot residents of Pyla, have been suspended temporarily from their employment. UNFICYP has urged the Government to take the necessary steps to ensure that these persons can return to their places of work without delay. As a result of UNFICYP intervention, the people affected are receiving unemployment entitlements.

III. ECONOMIC AND SOCIAL ACTIVITIES OF THE UNITED NATIONS SYSTEM

24. UNFICYP continues to act as intermediary between the two communities and to facilitate cooperation in such areas as the repair and equitable distribution of electricity and water resources.

25. The United Nations Development Programme (UNDP), as well as United Nations specialized agencies, continued their efforts to pursue bicommunal activities, mainly in the sectors of health and environment.

26. The Office of the United Nations High Commissioner for Refugees (UNHCR) continued to administer a bicommunal humanitarian programme, planned and implemented by bicommunal teams of Greek Cypriots and Turkish Cypriots, which includes significant development components. The main areas of cooperation were in sanitation, health, environment, agriculture, veterinary science, rehabilitation of culturally important sites and the Nicosia Master Plan. During the period under review, regular bicommunal meetings in these areas of cooperation were held at the UNHCR offices.

IV. COMMITTEE ON MISSING PERSONS

27. In my last report to the Security Council [*S/1996/411, para. 31*], I mentioned my letter to the leaders of the two communities of 4 April 1996, asking both sides to agree on four specific points as an indication of their determination that the Committee on Missing Persons should make expeditious progress before initiating the procedure to appoint a new Third Member. Despite the substantial work carried out by both sides, no agreement has been reached on the four points. I am currently considering the merits of continuing United Nations support to the Committee.

V. ORGANIZATIONAL MATTERS

28. As of December 1996, UNFICYP comprised 1,162 troops and 35 civilian police. The military personnel were from Argentina (390), Austria (314), Canada (2), Finland (2), Hungary (39), Ireland (32) and the United Kingdom of Great Britain and Northern Ireland (383). The police were from Australia (20) and Ireland (15). In addition, it had a civilian complement of 339, of whom 40 were recruited internationally, and 299 locally. The deployment of the Force is shown on the map attached at the end of the present volume.

29. Mr. Han Sung-Joo continues to serve as my Special Representative for Cyprus, Mr. Gustave Feissel as my Deputy Special Representative and Chief of Mission of the United Nations operation in Cyprus, and Brigadier General Ahti T. P. Vartiainen as Force Commander.

FINANCIAL ASPECTS

30. The General Assembly, by its resolution 50/236 of 7 June 1996, appropriated an amount of $45,079,500 gross for maintaining UNFICYP for the 12-month period from 1 July 1996 to 30 June 1997. This amount includes the pledged voluntary contribution from the Government of Cyprus of one third of the cost of the Force, and the annual amount of $6.5 million contributed by the Government of Greece.

31. Should the Security Council decide to extend the mandate of UNFICYP for a further period of six months as I recommend in paragraph 38 below, the costs of maintaining the Force would be approximately $22.5 million. Of that amount, approximately $12.1 million would be assessed on Member States.

32. As at 30 November 1996, the total outstanding assessed contributions to the UNFICYP Special Account amounted to $13.6 million, representing some 18.6 per cent of the assessment for the Mission since 16 June 1993. The outstanding assessed contributions for all peacekeeping operations totalled $1.7 billion.

VI. OBSERVATIONS

33. The situation in Cyprus deteriorated in the last six months. There was violence along the ceasefire lines, including the unnecessary and disproportionate use of lethal force by the Turkish/Turkish Cypriot side, to an extent not seen since 1974. The atmosphere between the two communities was marked by increasing distrust and hostility.

34. Once again, I must express serious concern about the excessive levels of military forces and armaments in Cyprus and the rate at which they are being expanded, upgraded and modernized. This can only increase tension on the island and in the region.

35. During the demonstrations on 11 and 14 August, UNFICYP did its best to prevent the demonstrators from entering the United Nations buffer zone. An international peacekeeping force is placed in an invidious position, however, when faced with a volatile crowd of civilians. Controlling the civilian population must therefore remain the exclusive responsibility of the local authorities. In Cyprus, the authorities on both sides have proved on many occasions that they are perfectly capable of fulfilling this task. The police are effective, and the political leaders have both the formal and informal means to provide guidance on important security issues and to ensure that it is heeded.

36. There is an urgent need now for leaders on both sides to make a serious effort to reverse the negative trend of recent months and to lead their communities in a more positive direction. In word and deed, efforts must be made to build trust and goodwill between the two sides.

37. UNFICYP has proposed a number of practical measures that would go a long way towards achieving this aim. Early agreement on the proposed package of measures to reduce tension along the ceasefire lines would be a significant step forward. Implementation of the measures to improve the living conditions of the Greek Cypriots and Maronites living in the northern part of the island should be realized without further delay. The removal of all impediments to the movement of people and increased contacts and communication between the two sides would be another important step towards bringing the two communities closer together, particularly in the prevailing climate; this applies both to official restrictions as well as to unofficial efforts to dissuade people from visiting the other side.

38. In the prevailing circumstances, I believe that the UNFICYP presence on the island remains indispensable if we are to achieve the objectives set out by the Security Council. I therefore recommend that the Council extend the mandate of the Force for a further period of six months until 30 June 1997. In accordance with established practice, I am consulting the parties concerned on the matter and shall report to the Council as soon as these consultations have been completed.

39. I take this opportunity to express my appreciation to the Governments contributing troops and civilian police to UNFICYP for the steadfast support they have given to this United Nations peacekeeping operation. I also wish to thank the Governments that have made voluntary contributions towards the financing of the Force.

40. In conclusion, I wish to express my appreciation to my Special Representative, to my Deputy Special Representative and Chief of Mission, to the Force Commander and to the men and women serving with UNFICYP, who have discharged the important responsibilities entrusted to them by the Security Council with efficiency and dedication.

DOCUMENT S/1996/1016/Add.1

[*Original: English*]
[*23 December 1996*]

In my report of 10 December 1996 [*S/1996/1016, para. 38*], I recommended that the Security Council extend the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP) for a further period of six months, and I indicated that I would report to the Council on my consultations with the parties concerned on the matter. I wish to inform the Council that the Government of Cyprus as well as the Governments of Greece and the United Kingdom of Great Britain and Northern Ireland have indicated their concurrence with the proposed extension. The Government of Turkey has indicated that it concurs with and supports the position of the Turkish Cypriot side, as expressed at previous meetings of the Security Council on the extension of the mandate of UNFICYP.

DOCUMENT S/1996/1017

Report of the Secretary-General pursuant to Security Council resolution 1035 (1995)

[Original: English]
[9 December 1996]

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1035 (1995) of 21 December 1995.

2. The second Peace Implementation Conference, held in London on 4 and 5 December 1996, reaffirmed its commitment to fully achieving the objectives set out in the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") [*S/1995/999*]. The Conclusions of the Conference were adopted on 5 December and have been issued as a document of the Security Council [*S/1996/1012, annex*]. The Conference reviewed progress made during the first year of the implementation of the Peace Agreement and expressed its willingness to continue to devote human and financial resources to build upon the achievements of the past 12 months in order to consolidate peace, encourage reconciliation and economic, political and social regeneration and restore Bosnia and Herzegovina to economic health and prosperity. The pursuit of these objectives is primarily the responsibility of the authorities in Bosnia and Herzegovina, and the Conference emphasized that the willingness of the international community to devote human and financial resources is dependent upon their strengthened commitment to implementation of the Peace Agreement. The Conference endorsed the guiding principles for a two-year "consolidation period" developed at the meeting of the Ministerial Steering Board of the Peace Implementation Council and the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996. The Conference also adopted an Action Plan for the first 12-month period of this consolidation phase.

3. The present report summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my last report of 1 October 1996 [*S/1996/820*]. This report provides an updated overview of the work of other branches of the United Nations system active in Bosnia and Herzegovina during the same period. It also contains my recommendations for the future of the United Nations involvement in Bosnia and Herzegovina, which are based on the recommendations of the London Conference.

II. IMPLEMENTATION OF THE DAYTON AGREEMENT

4. Fighting in Bosnia and Herzegovina came to an end on 11 October 1995. From that date until 20 December 1995, forces of the United Nations Protection Force (UNPROFOR) monitored a ceasefire put in place to allow for peace negotiations being launched in Dayton, Ohio. On 21 November 1995, in Dayton, the General Framework Agreement for Peace in Bosnia and Herzegovina was initialled along with 11 associated annexes (collectively the "Peace Agreement"). On 8 and 9 December 1995, the Peace Implementation Conference met in London, appointing Mr. Carl Bildt as High Representative. On 14 December 1995, the Peace Agreement was signed in Paris by the Republic of Bosnia and Herzegovina, the Republic of Croatia, the Federal Republic of Yugoslavia as well as the other parties thereto.

5. On 15 December 1995, the Security Council, by its resolution 1031 (1995), welcomed the deployment of a multinational Implementation Force (IFOR) in Bosnia and Herzegovina and the broader region, and noted the invitation of the parties for that force to remain "for a period of approximately one year". In the same resolution, the Council endorsed the establishment of a High Representative to "mobilize and, as appropriate, give guidance to, and coordinate the activities of, the civilian organizations and agencies involved" with the civilian aspects of the Peace Agreement. On 20 December 1995, authority was transferred from UNPROFOR to IFOR. On 21 December 1995, the Security Council, by its resolution 1035 (1995), decided to establish, for a period of one year, the United Nations International Police Task Force (IPTF) and a United Nations civilian office, brought together as the United Nations Mission in Bosnia and Herzegovina.

6. Since December 1995, the involvement of the United Nations system in Bosnia and Herzegovina has evolved into a supporting role. The Commander of IFOR has taken the lead in military matters; the High Representative has taken the lead in civilian matters. My Special Representative in Bosnia and Herzegovina, Mr. S. Iqbal Riza, has led UNMIBH, ensuring that its work has been closely coordinated with that of the Office of the High Representative.

III. ACTIVITIES OF THE MISSION SINCE 1 OCTOBER 1996

United Nations International Police Task Force

7. The current strength of IPTF is 1,704 monitors from 34 different countries. IPTF operates from 62 locations within the mission area. The level of cooperation existing between the police forces from the different entities and IPTF monitors has been reasonable, though some problems do still remain, particularly as regards the restructuring of the police force in the Republika Srpska.

8. IPTF, led by its Commissioner, Mr. Peter FitzGerald, is charged with monitoring all activities of the Federation Police Force and that of the Republika Srpska. IPTF monitors, accompanied by police from the respective Entities, conduct joint patrols in an effort to introduce principles of democratic policing by example. IPTF has successfully introduced community policing into a number of areas.

A school programme has also been developed by IPTF, designed to educate students at all levels in their civic duties and the principles of democratic policing. IPTF is also engaged in a comprehensive training, restructuring and vetting programme for the different police forces.

9. The training and restructuring of the Federation Police is continuing, although somewhat more slowly than had been anticipated, owing mainly to political disputes between the Federation partners. Since July, 12,500 applicants have been tested. Of these, 7,000 from seven cantons have now been vetted in relation to their record on human rights. The training has almost been completed in three cantons. Agreement has been reached between the Federation authorities and IPTF on the type and design of identification cards to be issued to the restructured Federation police force. The Sarajevo canton will be the first to receive the new identification cards and the new style Federation uniforms.

10. The training and restructuring of the Republika Srpska Police has not yet begun. No formal agreement has been reached between the Republika Srpska authorities and IPTF with regard to the restructuring and training of their police, although they have informally agreed in principle with the IPTF requirements. This will be a major focus of attention for IPTF in 1997.

11. On 28 September 1996, the Government of Ireland hosted the International Conference on Law Enforcement in Bosnia and Herzegovina, organized by the United Nations in order to solicit financial support for training and equipping the Bosnian police forces. Pledges made at the Dublin Donor Conference have not reached expected levels, which in turn has affected the pace of training and re-equipping of local police.

12. The transfer of authority from the Western European Union police to IPTF in Mostar occurred smoothly on 15 October. IPTF has taken steps aimed at disbanding a number of Bosnian Croat para-police forces. At the insistence of the Commissioner of IPTF, the Special Police Force in Mostar has been disbanded, as have various groups of armed civilian security guards. Other Special Police units throughout the Federation are also in the process of being disbanded.

13. Following the major changes that have taken place recently in the command structure of IFOR, the close working relationship between IFOR and IPTF continues. Senior personnel from IFOR and IPTF exchange information of mutual interest on a regular basis. A high level of cooperation also exists between IFOR personnel and IPTF monitors in the field. Joint patrols between IPTF and IFOR are conducted daily, especially in areas where tension is high or incidents are anticipated.

Civil Affairs

14. Civil Affairs officers have continued to perform their three main tasks, namely, to provide support to IPTF, to analyse and report on local political events and trends and to make available good offices for local confidence-building and problem-solving.

15. Regular briefings by Civil Affairs officers to IPTF regional, district and station commanders provide the latter with an understanding of the local political dynamics in their respective areas of responsibility. Moreover, Civil Affairs officers continue to assist IPTF in the establishment of working relationships with key local and international actors and, through such relationships, help to contain potentially explosive situations. Civil Affairs and IPTF also work together in monitoring human rights and cooperate with other international actors in order to ensure that cases of abuse are addressed by the relevant national bodies. However, it has become apparent that most of the violations of human rights which occur in Bosnia and Herzegovina (by some estimates as many as 70 per cent) are the work of the police forces of the Entities themselves. This creates the need for independent investigation of such cases. It was therefore proposed by the United Nations at the second Peace Implementation Conference that this responsibility should be entrusted to IPTF, a proposal which attracted widespread support and was incorporated in the Conclusions of the London Conference (*see para. 2*).

16. The detailed reporting on political developments provided by Civil Affairs officers has enabled my Special Representative to contribute to discussions at the national and regional levels on the implementation of the Dayton Agreement. This information, together with reports from IPTF, has been made available to other international actors at their request, including the High Representative, IFOR, the Organization for Security and Cooperation in Europe (OSCE) and the agencies and programmes of the United Nations system.

17. Civil Affairs officers' close contacts with local authorities have facilitated cross-Inter-Entity Boundary Line meetings of officials on several occasions and have thus contributed to a reduction of tension and of the potential for violence. On the Federation side, Civil Affairs officers continue to make available their good offices in order to facilitate the establishment of local government bodies, in coordination with the Office of the High Representative. Finally, Civil Affairs officers act as focal points for the dissemination of information to local authorities on the programmes and activities of other international organizations working in the country, especially those of the United Nations system.

Mine Action Centre

18. The international staff of the United Nations Mine Action Centre (MAC) consists of eight United Nations staff members and one seconded military advisor. In addition, 25 local staff are employed in MAC and are being trained on the job. MAC has one partially established regional office in Mostar but the planned regional offices in Banja Luka, Tuzla and Bihac have yet to be staffed. Since the present staffing and structure of MAC are insufficient to meet the anticipated mine-clearance requirements in 1997, the Department of Humanitarian Affairs of the Secretariat will shortly issue a revised organizational structure and budget for MAC.

19. MAC is continuing to take the lead role in coordinating the mine-clearance programme, facilitating the implementation of activities and encouraging the Government and donors to implement a unified programme. A national management training programme aimed at assisting the Government in assuming full responsibility for mine-clearance activities has begun.

20. The focus of current efforts is on developing the capacity necessary to address priority demining tasks, so that reconstruction can proceed and conditions may be created for refugees and displaced persons to return to their homes. To achieve these immediate goals, MAC has prepared an overall mine action plan. The plan includes a comprehensive training programme and an employment mechanism to make available up to 2,000 deminers by April 1997, when weather conditions will permit mine-clearance activities throughout the country. Some elements of the plan are already being implemented through four programmes financed by donors and coordinated by MAC. Delays in the implementation of these programmes have, however, resulted in a need for MAC to assume a more active role. A United Nations Mine Action Programme has therefore been developed and has been included in the United Nations Humanitarian Appeal for 1997. It is designed to meet the expected shortfall in the number of required deminers.

United Nations Trust Fund

21. Projects supported by the Trust Fund for the restoration of essential services in Sarajevo, established by Security Council resolution 900 (1994), continue to be monitored by the mission. UNMIBH also manages the Quick Impact Fund, which provides an effective mechanism for funding small urgent projects in Sarajevo. Of the US$ 18.9 million deposited into the Trust Fund since 1994, only approximately $1 million remains uncommitted.

IV. ACTIVITIES OF THE UNITED NATIONS SYSTEM

Office of the United Nations High Commissioner for Refugees

22. In the period under review, the Office of the United Nations High Commissioner for Refugees (UNHCR) has continued its efforts to implement annex 7 of the Dayton Peace Agreement. It is estimated that, since the beginning of 1996, some 250,000 refugees and displaced persons have returned to their homes in Bosnia and Herzegovina (approximately 50,000 from asylum-countries outside the region) out of 2.1 million persons uprooted during the war. UNHCR has provided assistance to many of those already returning home while at the same time laying the foundations for large-scale returns primarily through the following two measures.

23. First, rehabilitation work continued in the 22 "target areas" for return identified by UNHCR in June 1996 (19 in the Federation and 3 in the Republika Srpska), with the support of the International Management Group, the World Bank, the European Commission and others. Of an estimated 84,000 houses requiring repair, work has been completed on 24,000 so far. Other key community infrastructure activities, such as the repair of 100 schools, 50 clinics and hospitals, 60 water systems and 50 power systems, have been undertaken. It is estimated that up to 100,000 people, mainly displaced persons, will benefit from these activities. In 1997, UNHCR will continue to encourage donor investments in the target areas as well as identify other areas where returns would be feasible.

24. Secondly, UNHCR has continued with its confidence-building measures, namely, the local working groups on return, the Inter-Entity bus services and visits by displaced persons to their home areas. In spite of the many obstacles UNHCR has faced, these initiatives are having a positive impact. However, they are not intended to be an end in themselves, but a first step towards returns to minority areas. In this context, UNHCR has also been involved in the implementation of the Procedure for Return to the Zone of Separation (ZOS) adopted in October by the Office of the High Representative, UNHCR, IFOR, IPTF, the European Commission and the Parties. UNHCR has set up five International Housing Commissions to process applications. To date, over 1,500 persons have moved back to their homes across the Inter-Entity Boundary Line in the ZOS. However, UNHCR is very concerned at the increased burning and bombing of houses of potential returnees, particularly on the Republika Srpska side of the ZOS, which reveals how much opposition still remains to this type of return in some quarters.

25. UNHCR's estimate is that in 1997 some 200,000 refugees will be assisted to repatriate to Bosnia and Herzegovina in organized movements, and that up to an additional 200,000 refugees and displaced persons may go back spontaneously. This will require accelerated rehabilitation and reconstruction efforts in order to build up capacity to absorb such large numbers of returns. UNHCR itself plans to rehabilitate up to 15,000 houses or apartments in 1997, providing accommodation for some 75,000 returnees or relocated persons. It also plans to establish closer cooperation with host countries to facilitate and plan return movements.

26. In the past month, UNHCR has also formally launched an initiative, already started in July, to develop a plan of action for durable solutions to the problem of refugees and displaced persons in the region as a whole, including the neighbouring States of Croatia and the Federal Republic of Yugoslavia. The time-frame of this plan would be two years, to coincide with the consolidation period. The plan will be finalized by next spring, in consultation with States in the region and States hosting refugees, as well as financial and development-oriented institutions at the national, regional and international levels. It will comprise a range of solutions for the uprooted, including repatriation, return, voluntary relocation and local integration as well as (for a much smaller number) resettlement or continued protection abroad.

United Nations High Commissioner for Human Rights

27. During the reporting period, the field operation of the High Commissioner for Human Rights has provided substantive and technical support for two recent missions of the

Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia. During those missions, the Special Rapporteur visited locations in which serious violations of human rights have been reported. Particular attention has been given to such problems as freedom of movement, personal security, the right to return and freedom of the media. With regard to individual cases, the human rights field operation cooperates closely with IPTF and with national institutions established for the protection of human rights, in particular with the Federation Ombudsmen. The field operation also supports activities of the United Nations Expert on Missing Persons. It continues to cooperate with the Office of the High Representative. Within the framework of the Human Rights Coordination Centre, the High Commissioner for Human Rights initiated the establishment of the inter-agency Human Rights Institution Building Working Group. Members of the operation became more active in various fields of institution-building and support to non-governmental organizations (NGOs).

International Tribunal for the Former Yugoslavia

28. The Office of the Prosecutor was opened in Sarajevo on 21 August 1996. Its role is to provide a focal point for activities of the Tribunal in the Federation and the Republika Srpska in order that information can be requested and received from Governments, United Nations agencies, IFOR, NGOs and individuals in relation to war crimes.

29. The Office provides logistical support, including the establishment of security arrangements with IFOR when required, particularly in relation to exhumations. Support given to investigators carrying out missions in the area includes accompanying them and assisting with their investigations and conducting further inquiries if necessary. The Sarajevo office endeavours to ensure adherence to the "Rules of the Road" procedures (Rome Agreement), which relate to the detention by the authorities of persons suspected of war crimes.

United Nations Development Programme

30. In July 1996, the United Nations Development Programme (UNDP) office was established in Sarajevo. UNDP's initial programme is based on the findings and recommendations of a multisectoral United Nations system mission which visited Bosnia and Herzegovina in March 1996. The initial programme of UNDP focuses on providing assistance to the country in its efforts to revitalize its economy and strengthen its governmental and local institutions. For 1996, UNDP made approximately $5.7 million available. In addition, the Japanese Government agreed to make $30.8 million available to UNDP to support the programme for the 1996-1998 period.

31. To date, two area/community development projects have begun. One project in the area of economic management is providing assistance to the Government in the elaboration of a medium and long-term economic transition strategy and policy. Assistance is also provided to emergency education, rehabilitation and the health sector, including the rehabilitation of the only pharmaceutical plant in the country. Agriculture is supported through an emergency quality seed production programme; the judiciary is supported through a training and system upgrading project. Technical support is provided to strengthen planning and technical support units of Governmental entities both at the centre and at the local level.

World Bank

32. The World Bank's mission in Bosnia and Herzegovina continues to support the economic reconstruction of the country through implementation of the reconstruction programme approved by the international community at the Brussels conference in December 1995. The World Bank is also helping Bosnia and Herzegovina to introduce reform in the economic system to permit the development of a more market-friendly economy.

33. A total of $325.6 million in World Bank funds has been mobilized in 13 specific projects to date. Additionally, a fund of over $120 million is being managed by the Bank for co-financing these projects. The value of the projects prepared by the World Bank, now in phase of implementation, is about $1 billion. As of mid-November, contracts signed using World Bank-administered funds totalled 913, for a value of over $185 million.

34. The World Bank has made a major effort to help coordinate the work of donors participating in the reconstruction programme. Particular support has been provided to UNHCR for its priority refugee return programme. The World Bank has been able to mobilize substantial resources to rebuild houses in the UNHCR target zones and to implement job-creation programmes and other schemes for infrastructure development. Other agencies playing a key role with the World Bank in coordinating reconstruction are the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the International Labour Organization (ILO). These agencies head reconstruction task forces set up by the World Bank to cover the sectors of agriculture, health, water and employment.

World Food Programme

35. During the reporting period the World Food Programme (WFP) has continued to carry out its programme of delivering food aid throughout Bosnia and Herzegovina and managing its distribution through local authorities and other implementing partners to over 2 million beneficiaries. During the past months, WFP has resumed full responsibility for food aid management formerly undertaken by UNHCR. A new food aid strategy has been compiled, based on the findings of the April Joint Inter-Agency Food Aid Needs Assessment Mission and on extensive consultations with UNHCR and other implementing partners. This strategy is being reflected in the United Nations Consolidated Appeal for Humanitarian Assistance in 1997.

36. As part of its commitment to indirect targeting of some WFP resources through projects that work towards revitalization of the Bosnia and Herzegovina economy, WFP has continued its policy of providing wheat grain for local milling. At the end of August, 37,000 metric tonnes of wheat grain arrived, and a further 25,000 metric tonnes were received in November (both donations from the United States of America). Six mills in Bosnia and Herzegovina (including one mill in the Republika Srpska) were contracted to process this grain into wheat flour for WFP programmes. This project has helped to create 500 jobs and increase the capacity of this vital food processing industry. In November, a project to produce nutritionally enriched biscuits was begun with a Sarajevo bakery and the Federation Ministry for Social Welfare. The biscuits will be used for winter supplementary feeding programmes targeted to highly vulnerable groups (isolated elderly individuals, pregnant women, nursing mothers and the very young).

World Health Organization

37. WHO programmes have been adapted throughout 1996 to provide an appropriate balance of humanitarian health assistance and development support. Outbreaks of communicable diseases remain a constant potential threat, while chronic diseases have resurfaced after four years of relative inattention. Displaced persons and returnees in some areas depend upon emergency assistance while community health services are sufficient in others. WHO rehabilitation efforts are meeting immediate needs while work is progressing to develop an infrastructure for sustainable and appropriate services.

United Nations Children's Fund

38. The United Nations Children's Fund (UNICEF) and WHO have supported the Ministry of Health, in each Entity, to prepare for a National Immunization Day in December. This campaign is expected to provide polio immunization to an additional 75,000 children. The campaign comes as a culmination of intensive immunization programmes throughout 1996. Authorities in Sarajevo and Gorazde held seminars on breast-feeding and defined their respective plans of action. UNICEF also supported the Ministry of Education in preparing its national programme on early childhood development. This complements ongoing activities, supported by UNICEF, the World Bank, UNESCO and the Soros Foundation, to improve the training of uncertified teachers and provide them with technical support. Together with IFOR and the United Nations Mine Action Centre, UNICEF launched a special mine-awareness issue of the *Superman* comic book and carried out a youth poll prior to the September elections for children to participate and express their views.

United Nations Educational, Scientific and Cultural Organization

39. UNESCO has been working on several projects involving the repair and reconstruction of cultural and educational institutions, as well as various educational activities with other donors. In particular, it has completed the first stage of repair of the National Museum in Sarajevo. UNESCO has also funded independent media outlets and given financial support to cultural activities. In the field of cultural heritage, it held a three-week course in architectural protection and restoration and is preparing a rehabilitation plan for the Old Town in Mostar.

International Labour Organization

40. ILO, which leads the Donor Task Force on Employment and Training, continues to cooperate with the Government in promoting emergency employment programmes for war-affected groups and the unemployed. ILO is also assisting in the formulation of a post-war Labour Code adapted to the needs of the market economy.

V. FUTURE OF THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

41. The United Nations has been called upon by the London Conference of 4-5 December to discharge fundamental responsibilities during the next phase of the peace process (the "consolidation period"), working in close cooperation with the High Representative, the Stabilization Force (SFOR) and other major organizations. A paramount task will be the creation of suitable conditions for the early, safe and orderly return of refugees and displaced persons to their homes or other places of their choice. Responsibility in this area continues to be entrusted to the United Nations High Commissioner for Refugees, assisted by other components of the United Nations system. UNHCR will give priority to facilitating larger-scale voluntary returns to majority areas and to assisting those persons who wish to relocate voluntarily to or within these areas. Shelter and infrastructure repair programmes will accompany more targeted humanitarian assistance. Whereas priority will also be given to facilitating the return of refugees and displaced persons to all areas of Bosnia and Herzegovina, in accordance with the terms and guarantees of the Peace Agreement, such moves will hinge on full observance by the Parties of their commitments under annex 7 and speedy progress in the implementation of related provisions of the Peace Agreement as well as reconstruction and rehabilitation. During the two-year period, UNHCR will also seek solutions to the problem of refugees and displaced persons affecting the entire region—Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia—in the framework of implementation of a regional plan for durable solutions, to be presented to the international community in the spring of 1997.

42. The London Conference recognized the essential work of the International Police Task Force in promoting democratic policing and asked that it should be continued and strengthened. The Conference also noted the work of the United Nations High Commissioner for Human Rights, along with a number of other organizations, in implementing annex 6 of the Dayton Agreement. The High Commissioner will continue to provide support to the Office of the High Representative, technical assistance to the local authori-

ties and IPTF, and support to the Special Rapporteur and the Expert on Missing Persons. The London Conference called for additional support for the work of the International Tribunal for the former Yugoslavia. The role of the United Nations Mine Action Centre in coordinating international efforts and supporting the national authorities in the field of mine clearance was also endorsed. The agencies and programmes of the United Nations system will continue with their activities in the fields of humanitarian assistance and rehabilitation and reconstruction.

43. I propose to retain my Special Representative in Bosnia and Herzegovina. As such, he will combine the functions of United Nations Coordinator and Chief of Mission of the United Nations Mission in Bosnia and Herzegovina. His work over the past year has ensured cohesion between the various United Nations activities. He has also represented me in discussions within and outside Bosnia and Herzegovina on implementation of the Peace Agreement. The Special Representative has worked in close cooperation with the High Representative, the Commander of IFOR and other senior officials of the international community.

44. UNMIBH consists of IPTF and a United Nations civilian office. The United Nations Mine Action Centre is also part of the mission. UNMIBH also runs the programmes of the former Office of the Special Coordinator for the restoration of essential services in Sarajevo.

45. The London Conference thanked IPTF for its work over the past year and welcomed the request of the authorities of Bosnia and Herzegovina that its mandate be extended for a further year. In section VI of the present report I recommend that this request be accepted by the Security Council and that the mandate of IPTF be slightly enlarged, as also requested by the London Conference.

46. The main elements of IPTF's mandate, as outlined in annex 11 of the Peace Agreement, are:

(*a*) Monitoring, observing and inspecting law enforcement activities and facilities, including associated judicial organizations, structures and proceedings;

(*b*) Advising law enforcement personnel and forces;

(*c*) Training law enforcement personnel;

(*d*) Facilitating, within IPTF's mission of assistance, the law enforcement activities of the Bosnian authorities;

(*e*) Assessing threats to public order and advising on the capability of law enforcement agencies to deal with such threats;

(*f*) Advising governmental authorities in Bosnia and Herzegovina on the organization of effective civilian law enforcement agencies;

(*g*) Assisting by accompanying Bosnian law enforcement personnel as they carry out their responsibilities, as IPTF deems appropriate.

47. In addition to these tasks, the London Conference requested IPTF to carry out investigations of human rights abuses by police of the local authorities in Bosnia and Herzegovina. This followed the agreement of those authorities to investigate urgently with the assistance of the IPTF, or to facilitate an IPTF investigation into, cases in which a police officer or any other law enforcement or judicial official is accused of involvement in any violation of human rights or fundamental freedoms. In order to fulfil this additional task, and in the light of experience in 1996, it might be necessary to increase the strength of IPTF above the current ceiling of 1,721 personnel. If so, I shall submit proposals in this regard to the Security Council after the Commissioner has evaluated the implications of the requests made by the London Conference. In addition, the United Nations High Commissioner for Human Rights will identify a small team of human rights specialists to provide assistance to IPTF. In accordance with a request from the High Representative that implementing agencies should locate their main regional offices in the same cities, I intend to establish a regional office of IPTF in Mostar, in addition to those already functioning in Sarajevo, Banja Luka and Tuzla. This decision is also made necessary by the transfer of responsibility for policing in Mostar from the Western European Union to IPTF.

48. IPTF monitors will continue to require political advice from United Nations Civil Affairs officers. I do not, however, foresee a need to increase the number of Civil Affairs officers. Their current number and the structure of their organization is adequate to meet the requirements of IPTF, to provide political information to the High Representative and others and to offer their good offices at the local level, tasks which they have performed well in the past year.

49. The Mine Action Centre, which is funded by voluntary contributions through the Department of Humanitarian Affairs, will be further expanded, if donor contributions are forthcoming, to enable it to coordinate the international efforts in this important field more effectively.

VI. OBSERVATIONS

50. One year after its signature, we can draw satisfaction from the status of implementation of the Peace Agreement but also take note that much yet remains to be done.

51. Many positive developments have occurred. First and foremost, the massive presence of IFOR, led by the North Atlantic Treaty Organization (NATO), has ended the fighting. Armies have been disengaged and not a single casualty resulting from direct military action has been recorded. The elections that were held on 14 September 1996, in which over 2.4 million people cast their votes, have been certified by OSCE. The joint institutions foreseen in the Constitution of Bosnia and Herzegovina have begun to be set up.

52. However, Bosnia and Herzegovina is still very far from the unified society in which all peoples would enjoy the widespread freedoms envisaged in the Peace Agreement. The three parties have failed to implement in good faith those aspects of the Peace Agreement which would bind together the communities in the country. Freedom of movement and the return of refugees and displaced persons to their homes of origin are far from being secured. Harassment of minorities persists. Nationalist leaders of the Republika Srpska,

as well as some Croat leaders, have continued to advocate the complete separation of their territories from Bosnia and Herzegovina. These realities have continued despite a large-scale international presence. Unless these nationalistic aspirations are abandoned soon, the prospect of restoring a united Bosnia and Herzegovina, for which the international community has made such an enormous effort, will fade.

53. Much attention was devoted at the London Conference to the need to ensure that the International Tribunal for the Former Yugoslavia can do its work. I call once again upon all States to detain indicted war criminals and turn them over to the Tribunal. Failure to do so constitutes a violation of obligations under international law and further undermines efforts to promote reconciliation among the peoples of Bosnia and Herzegovina. The parties to the Peace Agreement have in particular failed to comply with the obligations they entered into in that Agreement. It is significant that, at the London Conference, the Steering Board of the Peace Implementation Council was charged with considering what further measures can be taken to bring indicted war criminals before the Tribunal.

54. I welcome the Conclusions reached at the London Conference, which have once again clearly identified that the main responsibility for implementing the Peace Agreement rests with the authorities of Bosnia and Herzegovina. The international community, which has been involved on the ground in Bosnia and Herzegovina since 1992 and under whose auspices the Peace Agreement was concluded, continues to have a direct responsibility to ensure full compliance with the requirements of the Agreement. The London Conference has rightly made it clear that the international community's continued willingness to make available the human and financial resources required for reconstruction and development is dependent upon a strengthened commitment from the authorities of Bosnia and Herzegovina to fulfil their obligations under the Peace Agreement. I welcome the identification of specific criteria on whose fulfilment the commitment of international resources will be conditioned. The United Nations will fully support the work of the High Representative in monitoring the application of these criteria.

55. The United Nations will continue to assist in the implementation of the Peace Agreement as requested by the London Conference. Of particular importance is the return of refugees and displaced persons to their homes or other places of their choice. I commend the efforts of the High Commissioner for Refugees and the generosity and patience of countries where refugees are currently living. I regret that the pace of return has so far been extremely slow but ask those countries which are still sheltering refugees to maintain that patience. UNHCR, along with other agencies and programmes of the United Nations system, will strive to ensure that conditions for the return of refugees and displaced persons are in place, and thus to speed the rate of return.

56. On the basis of the requests made by the Peace Implementation Council and of my own assessment of the contribution of the United Nations to the implementation of the Dayton Agreement, I recommend that the Security Council decide to extend the mandate of UNMIBH for a further year, until 21 December 1997. I further recommend that IPTF, which forms part of UNMIBH, should have added to its mandate the task of investigating allegations of human rights abuses by police officers or other law enforcement officials of the various authorities of Bosnia and Herzegovina. Should a modest increase in the Force's strength be needed for this purpose, I shall seek the approval of the Security Council at the appropriate time.

57. IPTF will remain a crucial element in the coming consolidation period. Its role will continue to be particularly important in building law enforcement institutions which operate in accordance with democratic standards and form the basis of an open and free society. I encourage Member States to continue to contribute personnel to IPTF. I also call upon interested donor countries to contribute generously to funding the programmes for equipping and training the national police forces. There is also an urgent requirement for donors to contribute to the Mine Action Programme. If sufficient funds do not become available in the next two months, activities programmed for 1997 will be in jeopardy, thus further delaying the implementation of reconstruction programmes and the return of refugees.

58. To conclude, I should like to pay tribute to my Special Representative, S. Iqbal Riza, and the IPTF Commissioner, Mr. Peter FitzGerald, and to the able men and women on their staff, for their devoted work in leading the United Nations contribution to the international community's efforts to bring lasting peace to Bosnia and Herzegovina.

DOCUMENT S/1996/1024

Letter dated 9 December 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*10 December 1996*]

I have the honour to convey the attached communication dated 9 December 1996 from the High Representative, Mr. Carl Bildt, on the implementation of the Peace Agreement on Bosnia and Herzegovina.

I would appreciate your bringing it to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX

Letter dated 9 December 1996 from the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

I have the honour to transmit to you my fourth report on my activities as High Representative for implementation of the Peace Agreement on Bosnia and Herzegovina. I would appreciate your making this report available to the Security Council.

(*Signed*) Carl BILDT

APPENDIX

Report of the High Representative for Implementation of the Bosnian Peace Agreement to the Secretary-General of the United Nations

I. INTRODUCTION

1. Pursuant to the Security Council Resolution 1031 of December 15, 1995, which endorsed my appointment as High Representative to "monitor the implementation of the Peace Agreement and mobilize and, as appropriate, give guidance to, and coordinate the activities of, the civilian organizations and agencies involved" in the implementation of the Peace Agreement on Bosnia and Herzegovina, I submit hereby my fourth report envisaged by Annex 10 of the Peace Agreement and the Conclusions of the London Peace Implementation Conference of December 8-9, 1995.

2. This report covers developments in the areas listed below during the period from the end of September to the beginning of December, 1996.

II. INSTITUTIONAL ASPECTS

Office of the High Representative

3. My Headquarters in Sarajevo and the Secretariat in Brussels have in the period described continued to maintain operational coordination of civilian implementation activities inside Bosnia and Herzegovina as well as contacts with the Headquarters of the respective implementation organizations and agencies, closely following, to the extent possible, the various international fora dealing with the Bosnian peace implementation. Specific attention was given to the series of high-level meetings leading up to the London Peace Implementation Conference and outlining the parameters of involvement of the international community in Bosnia and Herzegovina for the rest of the stabilization period.

4. Both the regional office of the High Representative in Banja Luka and the OHR representative in Tuzla continued their respective contributions to the overall effort, providing valuable points of contact to the different official and political institutions in important regions of Bosnia and Herzegovina, both of which have in the period described more than once become epicentres of political activity and tension for reasons outlined below.

5. Initial preparatory work has been done on the planned opening of an OHR regional office in Mostar, which is foreseen to function in close cooperation with the office of the Special Envoy of the European Union, the latter retaining primarily supervision of on-going EU economic assistance programmes. There will be the need to increase the regional office in Banja Luka in view of the transfer of a number of governmental functions of Republika Srpska from Pale. Pending the availability of sufficient resources, I am also contemplating the setting up of a proper regional office in the area of Tuzla and Brcko, thus assuring a better regional coverage throughout the country.

6. The closing of the initial stage of the peace implementation process inevitably coincided with the termination of assignments of a majority of international staff seconded to the OHR by the respective Governments, resulting in substantial personnel turnover. I am grateful to those Governments that have ensured either an extension of terms of duty or planned rotation. I shall be expecting further contributions in personnel and a prompt decision on the OHR budget for 1997.

Peace Implementation Council

7. The Steering Board of the Peace Implementation Council held a Ministerial meeting in Paris on November 14, devoted to defining the guidelines for civilian implementation during the two-year stabilization period.

8. I also convened monthly meetings of the Steering Board at the level of Political Directors of the respective Foreign Ministries, each devoted to specific issues of the peace process. The discussion at the meeting in Sarajevo on October 2 focused on the setting up of common BH institutions, as well as preparations for municipal elections and results of the UN-IPTF Donor Conference held in Dublin on September 28. A further meeting in Brussels on November 7 dealt with the preparations for the Paris Ministerial, while the one in Bonn on November 26-27 was part of the preparations for the London Conference. The Steering Board also met in London on December 3, immediately prior to the Conference itself.

9. The Peace Implementation Conference was held in London on December 4 and 5. It welcomed the substantial progress made in the past year, in particular that peace in Bosnia and Herzegovina had taken root, that elections had been held, that barriers to freedom of movement had begun to be dismantled, that the establishment of new multi-ethnic common institutions had begun, and that reconstruction was underway. It also sent a clear message that, while the international community remained committed to the peace process, responsibility for reconciliation lay with the authorities and citizens of Bosnia and Herzegovina, who had to progressively take charge of their own affairs. The Conference stressed that further international assistance would be conditional on the compliance by the authorities in Bosnia and Herzegovina with all of their obligations under the Peace Agreement. The Conference outlined the objectives for the next stage of the peace process and adopted an Action Plan for 1997, which includes specific tasks in a number of fields. The final document of the Conference is attached as an Annex to this Report.

10. In accordance with the decision reached by the London Conference, the Peace Implementation Council will continue in 1997 as the overall structure supervising peace implementation in Bosnia and Herzegovina. The Steering Board, meeting on a monthly basis, will continue to provide the High Representative with political guidance. I intend to call the next session of the Steering Board in January, 1997.

11. In addition to the Steering Board sessions other important international meetings in various formats, including that of countries that had witnessed the signing of the Peace Agreement, continued taking place on a frequent basis. OHR was represented by myself or senior members of my staff. These meetings, some attended by delegations of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, contributed to promoting the political and other aspects of peace implementation. It is my understanding that further meetings of this nature will take place during the stabilization period.

III. COORDINATION OF CIVILIAN IMPLEMENTATION

Overall coordination

12. Regular meetings of the key implementation agencies were held at my office in Brussels on October 8 and November 8 and 28, in order to assess the efforts undertaken by the different international agencies and organizations involved in the implementation of the Peace Agreement and coordinate their planning arrangements for the period beyond 1996. They also provided a useful instrument of coordination between the Steering Board and the above agencies. These meetings will continue, the next one being planned for January, 1997.

13. I have continued extensive consultations with representatives of governments and organizations. On September 25 I met the UN Under-Secretary-General in New York and on the next day reported to the members of the Security Council on the progress in the Bosnian peace implementation. I also had several meetings with the OSCE Chairman-in-Office and attended the OSCE Summit Conference in Lisbon on December 2-3.

14. In Sarajevo, I have been convening on a regular basis Principals' Meetings with participation of COMIFOR the Special Representative of the UN Secretary-General and the UN IPTF Commissioner, the UNHCR Special Envoy, and the OSCE Head of Mission. These meetings have proven most helpful and effective in coordinating efforts of the key implementation structures on the ground, particularly in facilitating the work of the new joint institutions and in defusing potentially dangerous situations in the Zone of Separation. I expect that this format will be maintained through the stabilization period.

15. Coordination of principles and priorities of international reconstruction assistance is taking place within the Economic Task Force, which meets on a regular basis in Sarajevo.

Operational coordination

16. On the ground in Bosnia and Herzegovina with the creation in the post-election period of common institutions based on the Annex 4 Constitution, the Joint Interim Commission, as well as its subsidiary bodies have effectively ceased to function, their mandates superseded by the newly-established institutions.

17. However, on the regional level my Office has received indications of substantial interest from the relevant municipal authorities and economic factors. With the municipal elections now postponed, my intention is to continue facilitating contacts at local and regional levels, promoting inter-entity cooperation in various fields, including return of refugees and displaced persons, property issues, elections preparations, economic reconstruction. The same approach will be applied to the established Working Groups on specific subjects.

18. The Joint Commissions established under the relevant Annexes of the Peace Agreement continued their work in respective fields.

19. Activities of the Provisional Election Commission (Annex 3), chaired by the OSCE, are referred to in a subsequent section of this report.

20. The Commission on Human Rights (Annex 6), composed of the Human Rights Chamber and the Ombudsperson, continued its work. To date, the Ombudsperson's Office has opened more than 800 provisional files, registered 332 cases, and referred 25 cases to the Human Rights Chamber. At the same time, more than 50 cases have been communicated to the responsible authorities and almost 40 requests for interim measures (under which the relevant Government is asked to refrain from taking certain actions pending review by the Ombudsperson of a case) have been issued. The Human Rights Chamber is now considering cases, and continues to work on its Rules of Procedure.

21. The response of the authorities in Bosnia and Herzegovina to these new institutions, however, remains substantially inadequate. Neither Entity has taken the concrete steps necessary to establish the Commission as an integral part of the legal framework of Bosnia and Herzegovina, by ensuring full cooperation with the Ombudsperson and Human Rights Chamber by authorities at all levels and within all divisions of government, establishing procedures for assisting with human rights investigations and responding to requests or reports from the Ombudsperson or Chamber, and adopting of legislation providing for the implementation and enforcement of their decisions. In addition, the Commission institutions continue to be funded by international donations, despite the requirement under the Peace Agreement that expenses of the Commission are to be borne by Bosnia and Herzegovina.

22. At the same time, the Commission has not yet had a significant impact on the lives of most people, including many victims of human rights violations who remain unaware of either their legal rights or the possible remedies available to them. Human rights implementing organizations have begun to take essential steps to ensure that cases are referred to domestic human rights institutions and to assist in "spreading the word" about their work. At the same time, public information campaigns and human rights training for legal professionals must be made priority tasks for the coming year.

23. The Commission for Real Property Claims of Displaced Persons and Refugees (Annex 7), mandated to restore a fair and just system of property rights in Bosnia and Herzegovina, began in early November to register real property claims in three regional offices in Lukavica, Mostar and Sarajevo. The Commission will establish a further six regional offices early in 1997, each with the capacity to register approximately 1,000 claims per month, and to make decisions concerning those property claims where records are readily available. The Commission faces an enormous operational challenge to register and verify many hundreds of thousands of individual property claims. The Commission proposes to establish joint programmes with host governments to register claims from refugees living abroad, and wherever possible it will work with other agencies to facilitate housing reconstruction programmes. The Commission has continued to meet regularly to develop the principles for the exercise of its mandate.

24. The Commission to Preserve National Monuments (Annex 8), coordinated by UNESCO, established its Working Secretariat in Sarajevo as well as a back-up Secretariat in Paris. Both are currently financed by UNESCO; proper funding through the Entities' budgets has yet to be set up. On expert level research continued aimed at producing a comprehensive list of national monuments throughout the territory of Bosnia and Herzegovina. However, the third session of the Commission, planned for mid-October, has been postponed.

25. The Commission on Public Corporations (Annex 9), chaired by the European Bank for Reconstruction and Development, continued regular sessions and meetings of working groups on electricity and railways.

Setting up of common BH institutions

26. The Constitution of Bosnia and Herzegovina, which constitutes Annex 4 of the Peace Agreement, provides for six common institutions, namely the Presidency, the Council of Ministers, the Parliamentary Assembly, the Constitutional Court, the Central Bank, and the Standing Committee on Military Matters.

27. The Presidency, comprising directly elected representatives of the three constituent peoples of Bosnia and Herzegovina, met for its first preliminary session organized by my Office on September 30. It took, however, additional three weeks to get the Presidency in a working mode. Since October 22 and until December 1 there have been nine regular sessions of the Presidency, one extended to cover two days, in the course of which the Provisional Rules of Procedure of the Presidency were adopted, a decision on the structure of the Council of Ministers was taken and a number of other issues within the competency of the Presidency discussed. The Presidency, inter alia, heard reports by the caretaker Minister of Foreign Affairs and the Working Group on Foreign Policy Issues, where all the Presidency Members are represented, on preparations for BH participation in the various international fora. My Office facilitated the setting up and proper functioning of this and other Working Groups created by the Presidency.

28. On November 30, agreement was reached on the structure and composition of the Council of Ministers, with the nomination of ministers and deputy ministers to be approved of by the House of Representatives of the Parliamentary Assembly expected shortly. The Council will consist of two Co-Chairs, one Vice-Chair, one Minister for Foreign Affairs with two Deputy Ministers, one Minister for Foreign Trade with two Deputy Ministers and one Minister for Civil Affairs and Communications with two Deputy Ministers.

29. The House of Representatives, directly elected at the September 14 elections, had an inauguration ceremony on October 5. However, the failure of the majority of Deputies from Republika Srpska to participate, prevented the House from electing its own bodies and starting functioning in a normal way. The House of Peoples, selected through indirect procedures by the

Assemblies of the two Entities, has not yet been constituted. It is planned to have sessions of both Houses in the immediate future.

30. The international members of the Constitutional Court have been appointed by the President of the European Court of Human Rights, as envisaged by the BH Constitution. The judges representing the Federation and Republika Srpska have yet to be nominated by the respective Governments and appointed by the Entities' Assemblies.

31. The full Board of Governors of the Central Bank has now been appointed, and is expected to have its first meeting in the nearest future.

32. The need for a speedy establishment of the Standing Committee on Military Matters has been brought to the attention of the Presidency. It was decided at the London Peace Implementation Conference that the High Representative and the SFOR Commander would participate in its work, for the duration of their terms of office, as observers. Legal aspects, including the correlation between the Presidency's constitutional powers as the civilian command authority over armed forces and provisions contained in the Defence Laws of both Entities, will have to be addressed.

33. On December 7 I informed the members of the Presidency as well as the Presidents of the Federation and the Republika Srpska that the OHR would now be publishing the official version of the Constitution of Bosnia and Herzegovina. This will involve the correction of a typographical error. The error is to be found in Article V (2) (c), which refers to the list of competencies in Article III (1) (*a*)-(*e*). This reference is wrong. The intended agreed reference to Article V (3) (*a*)-(*e*) was transcribed as a reference to Article III (1) (a)-(*e*). A review together with representatives of the US State Department of the negotiating records revealed that the reference to Article III (1) (*a*)-(*e*) in this place had been made inadvertently in the course of reorganizing the text of the Constitution in Dayton. It is expected that all future published version of the Constitution will correct this typographical error.

Elections

34. In my previous report, I emphasized the importance of municipal elections for Bosnian society and the need for substantial resources from the international community to ensure the effective organization and conduct of these elections. In the period under review, there was a significant increase in the appreciation of the complexities and sensitivity of these elections, which had been undertaken by the OSCE in February, confirmed in June and then postponed on August 27.

35. On October 2, the Steering Board, assisted by the OSCE, indicated its willingness to support a decision by the Provisional Election Commission on municipal elections in November on conditions that: (*a*) higher standards would be met for the municipal elections than for those held in September; (*b*) there would be international supervisors at all polling stations, throughout the chain of ballots and counting; and (*c*) the OSCE would have the structures for possible re-runs of elections as well as for the installation of the elected officials. The Permanent Council of the OSCE considered the timing of and conditions for the holding of the municipal elections at its meeting on October 3, particularly the disposition of the OSCE Mission to hold these elections in late November. In the Chairman's Conclusions it was stated that that the installation of elected officials went beyond the OSCE's means and current mandate and that the Chairman-in-Office considered that there would be serious shortcomings should municipal elections be held in November, 1996.

36. As the Conclusions of this meeting demonstrated that the conditions set by the Steering Board could not be fully met for early elections, my designee did not agree with the decision by the Chairman of the Provisional Election Commission, at its meeting on October 4, to proceed with the holding of these elections in November. The Provisional Election Commission eventually decided, on October 22, to abandon the attempt to hold municipal elections on the dates agreed the previous month.

37. On November 30, it was announced that Bosnia and Herzegovina, Republika Srpska and the Federation had all signed an agreement by which the OSCE was requested to extend its mission, and also that of the Provisional Election Commission, on the basis of the provisions defined in Annex 3, until the end of 1997 so as to supervise the preparation and conduct of elections for the municipal governing authorities. This agreement was accompanied by a separate Memorandum of Understanding between the President of the Republika Srpska and the OSCE which set out certain understandings with regard to the holding of the municipal elections.

38. The Declaration adopted by the OSCE Summit in Lisbon on December 3 confirmed that the OSCE would supervise the preparation and conduct of the municipal elections and welcomed the agreement of the Parties to Annex 3 in this regard.

39. The Action Plan for 1997, commissioned by the meeting of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina in Paris on November 14, and adopted by the London Peace Implementation Conference on December 5, welcomed the agreement of the authorities of Bosnia and Herzegovina to OSCE supervision of the municipal elections, the extension of the mandate of the PEC, their agreement on the holding of these elections by the summer of 1997, and invited the OSCE to begin work immediately so that the necessary preparations could begin in good time. The Action Plan highlighted the need for the OSCE, its Head of Mission and the High Representative to continue to co-ordinate closely and to work with SFOR, UN IPTF, UNHCR and other agencies on the planning and implementation of the post-elections period, and on the mechanisms for any necessary election re-runs and the installation of the elected officials. Moreover, the Action Plan requested the Steering Board and the OSCE to meet quickly, with the appropriate agencies, to agree how best to take work forward in these areas.

Federation issues

40. My Office continues to attribute high importance to a functioning Federation as one of the cornerstones for the successful implementation of the General Framework Agreement. Being one of the two constituent Entities of Bosnia and Herzegovina, the Federation needs fully functioning and stable structures. OHR, in conjunction with Governments of several countries, has continued to assist the Federation in making its political, economic and social structures operational.

41. Since my last report, progress has been achieved in a number of fields. The Federation Supreme Court has been constituted. During October, all Cantonal Assemblies constituted themselves and delegated their members to the Federation House of Peoples. On October 25, agreement was reached between the Federation partners concerning the future organization of Sarajevo. This opened the way for the constituent session of both Houses of the Federation Assembly on 6 November, where the members of the House of Peoples of Bosnia and Herzegovina from the Federation were delegated and a Federation Flag and Coat of Arms adopted. There is progress in the field of police, where, with the help of UN-IPTF and OHR, a model Cantonal police law was elaborated and further groundwork laid for the transformation of existing police forces in the Federation in accordance with the Constitution.

42. Much remains to be done, though. The structural problems that impede full implementation of the Federation which were described in my last report continue to persist. At the time this report was written, the Federation President, the Vice President, the Prime Minister and the Federation Government have not yet been nominated. A Federation Government and Cantonal Governments need to be established and be given the administrative and financial means to operate effectively. The transformation of present police structures must be finalized. The agreement on the future organization of Sarajevo has to be fully implemented. The Federation Assembly has to adopt those fundamental laws that are necessary to set the basic framework for the political and economic system of the Federation. Efforts to guarantee freedom of movement and the right of refugees and displaced persons to return to their homes throughout the Federation have to be intensified.

43. My Office will continue to assist the Federation partners in their efforts to realize these tasks, in order to create efficient and truly self-sustaining Federation structures.

Brcko arbitration

44. On December 8, the Presiding Arbitrator, Mr. Roberts Owen issued an order extending the time limit for completion of the arbitral proceedings to and including February 15, 1997. This had been preceded by discussions with both the Federation and the Republika Srpska, although the state of Republika Srpska participation in the arbitration process has been unclear throughout the period.

45. Participation in the arbitration process is a part of the Peace Agreement, as is the undertaking to fully respect and implement its results. It is of importance that this is clear to all of the parties as we are beginning to come close to a solution of this complex issue.

46. The arbitration itself refers, according to the Peace Agreement, to the question of the "the inter-entity boundary line in the Brcko area." There are no restrictions on the way in which the arbitration process can change the IEBL in this area. I would suppose that there might also be the need for agreement on other arrangements in order to seek a permanent and acceptable solution to this problem within the new time-frame now given.

Media

47. My Office has continued to monitor the media from both entities, both independently and in the framework of the OSCE Media Experts Commission. The performance of Republika Srpska TV and the news agency, SRNA, continues to be grossly inadequate, sometimes recalling the worst cases of authoritarianism. They are, however, occasionally open to alternative opinion, and gave me the time for a long live interview, professionally conducted, in October. The media scene in areas under the control of the HVO remains bleak. It is somewhat better in the areas controlled by the BH Army, though far from satisfactory.

48. The encouragement and consolidation of independent media outlets across Bosnia remains a high priority if democratic values are to be entrenched. My Office has devoted most of its efforts in this regard to the Open Broadcast Network (OBN) which carries the programming of TV-IN, an independent TV station. The OBN is the only cross-entity broadcaster, and TV-INFO, its half-hour news bulletin, is increasingly respected as an objective report on events within and beyond Bosnia. The other programming is being built up by a Bosnian management team with the assistance of an international Project Assistance Team.

49. OHR is increasingly asked to help in coordinating other independent media projects, and is currently exploring with other organizations the need for an independent printing house in Banja Luka.

Return of refugees and displaced persons

50. More than one million refugees continue to live outside of the country and close to one million displaced persons are forced to live away from their homes on the territory of Bosnia and Herzegovina. The lack of political will on the part of the Parties has been the most serious obstacle to their return. Despite statements by the political leaders in Bosnia-Herzegovina about the importance of implementing Annex 7 of the General Framework Agreement, negative political linkages and reciprocity demands, coupled with insufficient efforts to ensure the political, economic and social conditions necessary for voluntary and safe return, are still the norm.

51. The decision not to return is all too often conditioned by the lack of effective options. Possibilities for people to return to their homes of origin are limited not only by concerns about the security environment, but also by the lack of available housing, employment and social services, as well as the level of infrastructure and communications. Recent estimates give figures for returnees of around 250,000, overwhelmingly to areas of own ethnic domination. Organized repatriation has made up for only a minor proportion of return movements which are generally individual, voluntary and spontaneous.

52. The implementation of a Procedure for return and reconstruction in the Zone of Separation in cooperation with UNHCR, IFOR and UN IPTF allows for returns that are limited in number, but have great political importance for the effective realization of the right to return and the right to property, as well as for turning this sensitive zone into an area of normality and stability.

53. Until solved, perpetuated displacement will remain a problem and a destabilizing factor in Bosnia and Herzegovina and the broader region. The desire of people to return will remain a strong force in determining the future of the country, and the role of refugee associations, especially joint efforts such as the Coalition for Return comprising representatives of Bosnian Croat, Serb and Bosniak displaced persons and refugees, will grow in significance.

54. UNHCR, as the operational lead agency for the implementation of Annex 7 of the Peace Agreement, has in 1996 concentrated its efforts on targeted housing reconstruction and on confidence-building measures, and is in the process of developing a two-year regional plan to seek durable solutions to the problems of displaced persons and refugees. My office will participate in the development of this plan, and will work to ensure political support for it both from the Parties and from the international community as a whole. Making significant inroads in 1997-98 is a necessity, especially in the area of so-called "minority returns," and only a comprehensive and regional approach will make it possible to overcome the obstacles and to respond to the desire on the part of the displaced population to return.

55. On December 16, a Humanitarian Issues Working Group (HIWG), chaired by the UN High Commissioner on Refugees, will meet in Geneva to discuss specific plans for the coming year.

Missing persons. Mass graves

56. The international community has continued to work with national authorities to determine the fate of the missing. The ICRC has received almost 16,000 tracing requests from the families of the missing. Although clarification of the status of missing family members has progressed slowly, by November 25 the ICRC has clarified 973 of the 16,000 tracing requests. The Working Group on Missing Persons, chaired by the ICRC, has made it possible for representatives of family associations to have direct contact with the responsible authorities and relevant members of the international community. The Working Group has provided the families with a valuable forum in which to hear and be heard on this issue.

57. Progress on the exhumation of mass graves also proceeded slowly. As a result of an agreement reached on September 4, the Parties undertook to exhume jointly several sites on a priority basis. Three of those sites have been completed. This is a not inconsiderable accomplishment. Unfortunately, however, political difficulties and severely constrained resources resulted in the incomplete collection of mortal remains on the surface of the ground at the two other sites which had been given the highest priority by the Parties.

58. Planning is now underway in the Expert Group on Exhumations and Missing Persons, chaired by my Office, to better coordinate and focus the efforts of the international community to assist the Parties with the exhumation of mass graves and identification of mortal remains when it is possible to resume exhumations next year. Collection of information for the antemortem data base being created by Physicians for Human Rights and the Association for the Promotion of the Ludwig Boltzman Institute has progressed very well. More than 2200 family members of the missing have provided information for inclusion in the data base. Thanks to the efforts of the UN Expert on Missing Persons, several governments provided assistance to the Parties for the exhumation and identification of missing persons. Physicians for Human Rights has also provided my Office with a forensic anthropologist who will coordinate participation by international forensic experts in exhumations undertaken by the Parties and establish a training program for forensic anthropology.

59. Unresolved issues relating to the missing are a serious impediment to reconciliation. The resources and attention allocated to these issues must be greatly increased if these are not to remain festering wounds.

Human Rights

60. The Peace Agreement requires the authorities to secure to all persons within their jurisdiction the highest level of internationally recognized human rights. One year later, this obligation remains substantially unmet. While the cessation of hostilities resulted in a dramatic improvement in the human rights situation in Bosnia and Herzegovina, the promise of that initial leap forward has not fulfilled through sustained progress towards respect for human rights during 1996. A precarious human rights situation characterized by frequent arbitrary arrests, widespread abuse of ethnic minorities and obstruction of the right to return, continues to reign. Even more disturbing, the frequent human rights violations directed at opposition parties and political figures which occurred in the run up to the elections have not abated. In the past several months, the pattern of abuse by police noted in my last report has also continued, despite efforts by UN IPTF to monitor and check the violence.

61. Harassment of ethnic minorities, including forced evictions and intimidation, continues, and the responsible authorities have failed to act decisively to address this problem in both entities. The destruction of hundreds of minority-owned homes, both in the ZOS and in both entities, which began in late October and has continued, presents not only a grave challenge to right to return, but also a threat to remaining minority residents. Widespread discrimination against ethnic minorities in the fields of employment, education, and access to government services is widespread, also contributes to the trend toward ethnic separation.

62. My last report noted two cases in which police officers have been implicated in brutal murders, one involving apparent torture in which a police vehicle was seen leaving the scene where the body was found and the other a death by beating of a man in police custody. Although more than four months have passed, the perpetrators of these crimes have not been prosecuted, and the police officers implicated in these deaths remain in their jobs. These most egregious cases were joined in the past months by numerous reports of beatings in detention, abuse which is common in both entities.

63. At the same time, the responsible authorities have failed to take certain concrete steps which are fundamental to the peace process, including bringing existing legislation into conformity with the Peace Agreement. In addition to the need for legislation to support domestic human rights institutions, as mentioned above, laws relating to abandoned property which the authorities have conceded do not comply with the Peace Agreement continue to be enforced in both entities. Ongoing work to draft and implement new property laws should be expedited, and enforcement of existing noncomplying laws must be suspended. The substantial delay of authorities of both entities in taking these steps has contributed to ethnic division. In addition, the fundamental flaw in the Republika Srpska's amnesty law—exclusion of persons who deserted or avoided military conscription—must be corrected.

64. The human rights situation in Sarajevo continued to be in the focus of attention of my Office and other international agencies, who are working together to improve conditions for an multi-ethnic capital. We have helped to organize local community councils, especially in areas where tense relations have been reported between Bosniak DPs and remaining Serbs. UNHCR has launched a project to renovate apartments, ensuring, in collaboration with city authorities, that pre-war residents, whether living in Sarajevo, the RS, or abroad, get priority access. In late October, Presidents Izetbegovic and Zubak signed a Protocol on the organization of Sarajevo city and canton, which would ensure a significant role for minorities in the administration. My Office is now working on the effective implementation of this protocol.

65. While monitoring implementation of the human rights provisions of the Peace Agreement, including the right to return, and addressing noncompliance will remain essential during 1997, the role of human rights community in 1997 needs to be more proactive and far-reaching, focusing on longer-term objectives. Priorities for the coming year should include: (1) human rights institution building, involving both strengthening of human rights institutions and support for NGOs; (2) development of a human rights culture through public information, education and other democratization initiatives; and (3) strengthening the rule of law through projects including incorporation of human rights standards into law and reform of legal, administrative and law enforcement institutions. Given the multiplicity of organizations which will continue to be active in the human rights field in 1997, improved integration of human rights activities is essential to ensuring that these objectives are met. To that end, existing structures for coordination of human rights efforts should be modified to better meet and identify priorities for 1997 and to ensure more active participation and direction by key organizations, including international and local NGOs.

Detention Issues and Cooperation with ICTY

66. In the past months, the focus on detention issues has moved from prisoners detained during the war to persons detained following the Peace Agreement. With regard to the first category, the prisoner release requirement imposed by the Peace Agreement was technically fulfilled last spring with the release of all remaining ICRC-registered prisoners, excepting cases submitted to the Hague for review. At the same time, the possibility that an unknown number of persons continue to held in "hidden" detention looms large regardless of the actual number of such detainees for two reasons: (*a*) any authority holding prisoners detained during the conflict is committing a substantial breach of its obligations under Annex 1A; and (*b*) the speculation that large number of persons remain in hidden detention undermines resolution of missing persons questions and the peace process more generally. UN IPTF, with the support of the OHR and IFOR, stands ready to provide a credible response to substantive allegations of hidden detention. The authorities must provide concrete proof to support their claims that hidden detainees are not held by ensuring immediate access without prior notice by UN IPTF to any known or suspected place of detention, including military facilities.

67. With regard to persons detained following the peace agreement, substantial human rights violations continue. The failure of the authorities to implement the "Rules of the Road" agreed in Rome on February 18 constitutes a substantial impediment to freedom of movement and fosters arbitrary arrest, often for purposes of "exchange." Under the rules of the road, the authorities agreed that war crimes arrests would be made only pursuant to an indictment by the Tribunal or after an order, warrant or indictment issued by the national authorities has been reviewed by ICTY and found consistent with international legal standards. While both Entities have detained war crimes suspects in violation of this commitment, only the Republika Srpska authorities have so far refused to agree to specific procedures for implementation of the rules of the road. The check provided by Tribunal review of war crimes cases is an essential confidence-building step that will both deter arbitrary arrest and contribute to establishment of the rule of law in Bosnia and Herzegovina. It is essential that both Entities implement the "Rules of the Road" immediately. At the same time, ICTY must be provided with resources necessary to review the cases submitted under this process.

68. The failure by the responsible authorities, particularly of the Republika Srpska, to cooperate with ICTY, has continued unabated. The authorities of Republika Srpska have refused to arrest persons indicted by the Tribunal, relying on a provision of their legislation which is clearly superseded by the Constitution of Bosnia and Herzegovina and other Annexes of the Peace Agreement. At the same time, with disregard for their legal obligations, Bosnian Croat authorities have failed to arrest the numerous indicted persons who reside in or visit areas of the Federation previously under the control of the HVO.

69. The responsible authorities must take immediate steps to implement their legal obligation to cooperate with the International Criminal Tribunal for the former Yugoslavia, including execution of arrest warrants for persons indicted by the Tribunal, submission of all cases involving suspected war crimes to the Tribunal for review prior to arrest or prosecution by national courts, and provision of information to assist in Tribunal investigations. Legislation implementing Bosnia and

Herzegovina's responsibilities to cooperate with the Tribunal, including through extradition of indicted persons, should be adopted.

70. The Peace Implementation Council at its London Conference charged the Steering Board to consider what further measures can be taken to facilitate the delivery of indictees to the Tribunal for trial. Based on this, it is my intention to initiate a discussion in the Steering Board on these matters at an early date if there is not sufficient progress by other means.

Economic reconstruction

71. Economic revival and sustainable growth remain major preconditions for peace and economic stability. The first results of peace and reconstruction, and return to normal life are emerging. However, much still remains to be done, and major challenges such as facilitating the return of refugees, have to be met in the very near future. I have continued my coordination efforts with major implementation agencies and international financing institutions, namely the World Bank, the European Commission, the European Bank for Reconstruction and Development, the International Monetary Fund and the International Management Group. I have held regular meetings on weekly basis with these agencies—the Economic Task Force—in Sarajevo to discuss and coordinate economic reconstruction plans and establish priorities.

72. Twelve sector task forces have been established jointly by the European Commission and the World Bank to coordinate the donor efforts in respective fields. The latest newcomer is the Task Force on Macroeconomic Issues chaired jointly by the IMF and the World Bank. The task forces bring together the most important donors as well as the representatives of the beneficiaries to discuss project implementation, to identify financing gaps and to address sectoral development issues. Following the need to increase the efficiency of the sector task forces, more detailed terms of reference and reporting requirements have been set to them. In practice this has implied addressing issues concerning sector policy development and increased project implementation monitoring. They cooperate also closely with the Economic Task Force set up by my Office, and report to me.

73. Due to delays in appointing the BH Council of Ministers and Entity Governments no significant credit or grant agreements on reconstruction projects were signed with Bosnian authorities during the last two months. Implementation of on-going projects continued, and the disbursement rate reached over USD 100 million per month during the autumn. Relevant project implementation structures are up and running in the Federation of Bosnia and Herzegovina consisting of Bosnian representatives and foreign experts. The setting up of similar structures has been somewhat slower in Republika Srpska even though four subsidiary loan agreements with the World Bank have already been signed.

74. According to the latest statistics, firm donor commitments for 1996 add up to USD 1,556 million omitting peace implementation activities. The total amount under different stages of implementation is USD 1,176 million, out which USD 720 million have been disbursed. The Federation territory has received 84 % of the total assistance efforts under implementation while 14 % represent activities regarding both state and inter-entity. Only 2 % of the total activities are under implementation in Republika Srpska. Even in the Federation the assistance efforts have so far concentrated on few areas, where only three cantons and Sarajevo have received more than two thirds of the total. In the future this tendency must be reverted and more balanced approach must be obtained concerning both the Federation and Republika Srpska, considering the degree of damage, needs and political conditionality.

75. Within the framework of reforms that facilitate economic recovery and transition of Bosnia and Herzegovina to a market economy, I have stressed certain priority sectors such as infrastructure, employment generation and restart of production. Some positive examples can be mentioned: regular, though limited amount of commercial flights to and from the Sarajevo Airport, completion of two major bridges between Sarajevo and Mostar, and the reconstruction of another eleven bridges is underway; rehabilitation of five principal power plants and four main transmission lines, and picking up of small scale commerce. Altogether the total amount of civil works, goods and services completed or underway is more than 900. There are, however, still persisting financing gaps in all major sectors in spite of my strong recommendations to the donor community. Political constraints on the spot have also regrettably slowed down implementation and the lack of four basic freedoms effectively impedes economic cooperation between the entities. This naturally slows down the overall economic recovery process in the whole country. I have made it very clear that these tendencies must not continue.

76. Preparations for the next stage of recovery have been started. In order to speed up the adoption of a legislative framework conducive to the transition to a market economy, my office has coordinated the drafting of a Quick Start Package (QSP) consisting of major pieces of legislation such as foreign trade and investment laws, customs tariff law and law on the Central Bank. The first QSP will be followed by a second package concentrating mainly on regulatory framework legislation. In general, particular emphasis needs to be placed on developing institutions and policies that will maximize the potential for sustaining reconstruction and economic revival. The success of these efforts prerequisites both responsibility on the part of the Bosnian authorities and close cooperation among the major international implementation agencies.

Mine clearance

77. Progress with physical mine clearance remains slow. However, the Mine Action Task Force is active, training continues and a number of mine clearing projects conducted by local companies, Norwegian Peoples Aid and US Government sponsored teams, are underway. The UN Mine Action Centre continues to recruit staff, develop the data base, plan further training, determine priorities and establish regional centres.

I welcome the firm line taken by IFOR during the period which has compelled the Parties to put more effort into meeting their responsibilities under Annex 1A with regard to using their military forces to clear and mark mine fields. Progress in actually clearing mines to the agreed standard has been limited and winter weather will further limit achievement in this area. Continued pressure from the follow-on SFOR is likely to be required if progress is to improve.

78. I further welcome the commitments made at the London Conference by the authorities of Bosnia and Herzegovina and the International Community to the Action Plan for mine clearing in 1997. Meeting and funding these commitments will be vital if the tragic casualties caused by mines are to be reduced, the return of refugees and displaced persons proceed and economic reconstruction not be delayed.

Regional stabilization

80. Implementation of the Agreement on Sub-Regional Arms Control pursuant to Article II and IV of Annex 1B of the Peace Agreement, signed in Florence on June 14, continues.

81. Substantial progress has been made in the Article II Agreement, and I welcome the Parties' undertaking to move rapidly to full implementation. I remain concerned about the ease with which weapons have been produced by the Parties during recent incidents in the Zone of Separation. The Parties must redouble their efforts to ensure that there is no recourse to violence in meeting the terms of the peace agreement.

82. Problems and delays have continued in the Article IV implementation, with baseline validation and inspection difficulties blocking progress. I welcome the parties reconfirming their obligation to cooperate, but the January 1, 1997 deadline is unlikely to be met in every category by all the parties, and we must ensure the resources, and the will, are stronger in 1997.

83. I welcome the appointment by the OSCE Chairman-in-Office of his Special Representative for Article V and urge the earliest possible start to Article V negotiations to achieve regional balance in the former Yugoslavia.

IV. Cooperation with IFOR

84. Close relations with the North Atlantic Treaty Organization and the NATO-led Implementation Force (IFOR) continued to be most constructive at all levels. In theatre, effective coordination of the civilian and military efforts has been maintained. From this point of view the meetings of Principals which I chair have proved an effective vehicle to both share information and take executive decisions. Military support to civilian agencies in this period has been vital to the overall progress.

85. I would like to record my deep gratitude to both Admiral Joseph Lopez, and the long-serving General Michael Walker and their staffs, for their contribution to the peace process in Bosnia and Herzegovina.

86. That said, General William Crouch and his staff have effected a seamless transition from both IFOR and ARRC Headquarters. I am delighted the new staff of the single military Theatre Headquarters have so quickly developed close links with my staff. That, in my view, shall serve as a sound basis for continuation of these links with the follow-on Stabilization Force (SFOR).

V. Looking Forward

87. The fourth phase of peace implementation during 1996 has been the most demanding so far, with efforts to fully implement the Constitution through the setting up of common institutions proceeding in parallel with the international discussions on structures to assist the peace efforts during the coming consolidation period up until and including the national and Entity-level elections in 1998.

88. Although the pace of setting up of the common institutions has been slower than the Presidency committed itself to, we have seen gradual progress, and it seems safe to assume that all the common institutions will be set up in the near future. Our efforts will then be directed towards assisting in setting up the structures which will facilitate their work with the tasks given them in the Constitution, as well as with the decisions needed on interim legislation in a number of key areas which are indicated in the London conclusions and which are essential in starting to tackle the real problems of the country.

89. Of particular importance is that the common institutions of Bosnia and Herzegovina, as well as those of the Federation and Republika Srpska, begin to take more radical measures in order to solve the economic and social problems of the country. I remain concerned by the low priority so far given to these issues by the political leaders.

90. International reconstruction assistance will be continued during the consolidation period, but it can not be assumed that it will continue on a large scale thereafter. In order to make self-sustaining economic growth possible in the years ahead, it is thus imperative that radical structural reform measures are undertaken in the near future to create an open and competitive economy able to sustain the reconstruction efforts and meet the social and public needs of the country into the 21st century. The efforts by the International Monetary Fund and the World Bank as concerns structural reform issues, in close collaboration with my office, is of great importance in this regard.

91. Based on an agreement between the Council of Ministers and the IMF, it is my firm hope that we will see measures initiating the necessary structural reforms before the Donor Conference planned to be held in late February 1997. Clear indications by the authorities of Bosnia and Herzegovina—the common institutions as well as those of the Entities—that they are moving forward on the economic reform issues will, in my opinion, increase the possibilities for a good result of the Donor Conference.

92. In my previous reports, I stressed my concerns over the human rights situation in Bosnia and Herzegovina. Although there have been signs of improvement in certain areas, I regret to report that the overall situation remains deeply unsatisfactory throughout the territory of the country.

93. Human rights is the key to most other aspects of political and civilian implementation of the Peace Agreement. It is only when human rights are fully respected that the political life of the country can free itself of the factor of fear now so obvious. It is only when human rights are secure that the refugees and displaced persons will start to return in greater number to their places of origin or choice. It is only when human rights are seen as protected that the freedom of movement, which is so central to the peace implementation, will be exercised by larger and larger number of people.

94. The year which has passed has laid the foundations for the peace implementation process to continue. It would have been naive to assume that all the aims of the peace agreement could have been reached in one year alone. What we have achieved is a base on which the further efforts during the consolidation period ahead will build. The peace process is not yet self-sustaining, but with a clear commitment by all the authorities of Bosnia and Herzegovina as well as from the international community the consolidation period should be able to result in a peace process which is self-sustaining.

95. 1997 will be a year with significant challenges. In the early part of the year, the Brcko arbitration must find a permanent solution to this complex problem. As we approach the summer, the municipal elections will come into focus with the critical issues relating to the full implementation of their results throughout the country. And all through the year the issues of refugee return as well as the questions relating the cooperation with ICTY must be high up on the agenda.

96. During the first part of the year—until I expect to deliver my next report—the setting up of the common institutions will continue. The London conclusions contain important commitments which must be met, and which are of importance if the common institutions will be able to work in such a way as to make them truly accepted and respected throughout the country. The Presidency is committed to take a decision by February 15 on the flag and symbols of Bosnia and Herzegovina, and by the end of March on the diplomatic representation of the country, since this must reflect and represent the Presidency as a whole.

97. There is no denying that the drift towards ethnic separation is continuing in Bosnia one year after the peace agreement was signed. The forces of ethnic separation are still stronger than the forces of ethnic reintegration. But the trend is by no means irreversible. As peace takes hold, and as the economy throughout the country starts to revive, the inter-action between the different parts of the country is bound to increase. If human rights are respected we will then start to see the country coming back together again. It must be a central aim of the international efforts to ensure that this will be the case.

98. In my previous reports I have consistently stressed that our commitment to peace in this part of Europe must be longer in time than just one year and wider in geographic scope than just Bosnia. With guidelines for the consolidation plan now approved, and with the corresponding military decisions taken, the framework for the 1997 and 1998 in Bosnia are now in place.

99. But peace and stability in Bosnia will come under strain if there is aggressive nationalism or political upheaval in the surrounding countries. This could result in forces of separation in Bosnia receiving an impetus, and it could also result in new waves of refugees which could have a negative impact on the situation in the country. The international community must be ready to do whatever can be done in order to facilitate the full respect for human and political rights for each and everyone in Croatia and the Federal Republic of Yugoslavia.

100. The first year of peace implementation was over-all a year of success. But each step forward we have taken has also demonstrated how many more are the steps which must be taken for the peace process to be self-sustaining and stable. The recent international decisions in Paris, London and Brussels have created conditions for making this possible in the years ahead.

DOCUMENT S/1996/1025

Letter dated 9 December 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*10 December 1996*]

I have the honour to convey the attached exchange of letters between the Secretary-General of the North Atlantic Treaty Organization and the Parties to the Dayton Peace Accords concerning the Stabilization Force in Bosnia and Herzegovina.

I would appreciate your bringing them to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX I

Letter dated 2 December 1996 from the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

In my letter of 28 November, I informed you that NATO was proceeding with preparations for a follow-up force in Bosnia and Herzegovina. On 29 November, allies agreed that this force would be named the Stabilization Force, or SFOR, and that I should seek the acceptance of the Parties to the Dayton Accords of SFOR as the successor to the Implementation Force (IFOR). I enclose for your information a copy of the letter I sent to the members of the Presidency of Bosnia and Herzegovina on SFOR and a copy of their response. I have sent similar letters to President Milosevic and President Tudjman (also enclosed) and am awaiting their responses.

(*Signed*) Javier SOLANA

ENCLOSURE I

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the members of the Presidency of Bosnia and Herzegovina

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that Bosnia and Herzegovina would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that Bosnia and Herzegovina welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of Bosnia and Herzegovina, including its constituent entities the Federation of Bosnia and Herzegovina and the Republika Srpska.

(*Signed*) Javier SOLANA

ENCLOSURE II

Letter dated 30 November 1996 from the members of the Presidency of Bosnia and Herzegovina to the Secretary-General of the North Atlantic Treaty Organization

We refer to your letter of 29 November 1996, concerning the status of a follow-up stabilization force in Bosnia and Herzegovina to be organized and led by the North Atlantic Treaty Organization.

The Presidency of Bosnia and Herzegovina herewith acknowledges receipt of your letter and confirms concurrence with its contents in full.

We understand that the Presidency shall be consulted on the duration of the mandate.

(*Signed*) Alija IZETBEGOVIC

(*Signed*) Kresimir ZUBAK

(*Signed*) Momcilo KRAJISNIK

ENCLOSURE III

Letter dated 29 November 1996 from the Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Chargé d'affaires a.i. of the Embassy of the Federal Republic of Yugoslavia transmitting a letter from the Secretary-General to the President of the Federal Republic of Yugoslavia

I would be grateful if you could forward the enclosed letter from the Secretary-General to His Excellency President Slobodan Milosevic.

For your information, it should be noted that a comparable letter has been sent to the President of the Republic of Croatia and the Presidency of Bosnia and Herzegovina.

(*Signed*) Jorge DOMECQ

ENCLOSURE IV

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the President of the Federal Republic of Yugoslavia

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that the Federal Republic of Yugoslavia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that the Federal Republic of Yugoslavia welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of the Federal Republic of Yugoslavia.

(*Signed*) Javier SOLANA

ENCLOSURE V

Letter dated 29 November 1996 from the Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Ambassador of Croatia transmitting a letter from the Secretary-General to the President of Croatia

I would be grateful if you could forward the enclosed letter from the Secretary-General to the President of Croatia, Mr. Franjo Tudjman.

For your information, it should be noted that a comparable letter has been sent to the Presidency of Bosnia and Herzegovina and Mr. Milosevic.

(*Signed*) Jorge DOMECQ

ENCLOSURE VI

Letter dated 29 November 1996 from the Secretary-General of the North Atlantic Treaty Organization to the President of Croatia

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement).

It is our understanding that the Republic of Croatia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization.

It is our further understanding that the Republic of Croatia welcomes and invites action by the Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully.

In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR).

It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR.

I would appreciate your confirmation of these understandings on behalf of the Republic of Croatia.

(*Signed*) Javier SOLANA

ANNEX II

Letter dated 4 December 1996 from the Deputy Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

Please find attached for your information a copy of the letter to the Secretary-General of NATO from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia responding positively to his letter of 29 November on the Stabilization Force. I also enclose a letter from the Federal Republic of Yugoslavia concerning the transit agreement between the Federal Republic of Yugoslavia and NATO.

(*Signed*) Alastair MERRILL

ENCLOSURE I

Letter dated 3 December 1996 from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General of the North Atlantic Treaty Organization

I refer to your letter of 29 November 1996, concerning the status of a follow-up Stabilization Force in Bosnia and Herzegovina to be organized and led by the North Atlantic Treaty Organization.

On behalf of the Federal Republic of Yugoslavia, I herewith acknowledge receipt of your letter and confirm concurrence with its contents in full.

(*Signed*) Milan MILUTINOVIC

ENCLOSURE II

Letter dated 3 December 1996 from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General of the North Atlantic Treaty Organization

I take this opportunity to remind you that we still have not concluded the task started in Dayton, Ohio of interpreting certain regulations contained in the Transit Agreement for Peace Plan Operations between the Federal Republic of Yugoslavia and NATO, signed on 21 and 23 November 1995. On 20 February 1996, we received a letter from Mr. B. de Vidts, Legal Adviser of NATO, which contained some interpretations of the provisions of the Transit Agreement, but these interpretations greatly departed from those agreed upon in Dayton.

Pursuant to the provisions of the Constitution of the Federal Republic of Yugoslavia, the Transit Agreement is subject to the approval by the Federal Assembly. Pending the approval, it is implemented on a temporary basis. In my previous letters I explained to you that your confirmation as to the meaning of certain regulations contained in the Transit Agreement, set forth in Dayton, would be of great importance in the procedure of granting the approval to the Transit Agreement by the Federal Assembly.

In his letter of 30 April 1996, General George Joulwan (SACEUR) informed me that the matter would be reviewed by the competent officials and that I would shortly be informed thereof. Since I have not received any reply so far, I kindly ask you to intercede so that the competent NATO authorities may confirm in a letter the interpretation of the Transit Agreement agreed upon in Dayton.

I am sending you, enclosed herewith, a copy of the text "Understandings Regarding Certain Provisions of the Agreement Between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO) Concerning Transit Arrangements for Peace Plan Operations", set forth in Dayton.

I look forward to your reply.

(*Signed*) Milan MILUTINOVIC

ANNEX III

Letter dated 4 December 1996 from the Deputy Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

Please find attached for your information a copy of a letter to the Secretary-General of NATO from the President of the Republic of Croatia, together with a courtesy translation, responding positively to his letter of 29 November on the Stabilization Force.

(*Signed*) Alastair MERRILL

ENCLOSURE I

Letter dated 3 December 1996 from the Presiden of Croatia to the Secretary-General of the North Atlantic Treaty Organization

Thank you for your letter of 29 November 1996 concerning the to-date role of IFOR in enforcing the Agreement, drawn up in Dayton and signed in Paris on 14 December 1995, and the tasks of the Stabilization Force (SFOR) which would be established and conducted by NATO in the coming period to be defined by the United Nations Security Council.

The Republic of Croatia, as a co-signatory of the Dayton/Paris Agreement, has been supporting the implementation of its provisions throughout the previous period in the interest of stability and security in Bosnia and Herzegovina, as well as the role of IFOR in carrying out the military measures designed to ensure peace.

Not only Croatia but also the international community as a whole is interested in a continued process of unreserved implementation of the accords reached. The Republic of Croatia will continue to use all its influence in this direction, especially all those provisions of the Washington Agreement related to the Federation of Bosnia and Herzegovina, including the already mentioned Dayton/Paris Agreement. We believe that a leading role of NATO is indispensable in this process and that the stability and security in the south-east of Europe will be an additional rationale behind Croatia's accession to the Partnership for Peace and, in the foreseeable future, to NATO membership.

In this connection, and on behalf of the Republic of Croatia, I wish to confirm consent to all the points of mutual understanding put forward in your letter.

Franjo TUDJMAN
President Republic of Croatia

DOCUMENT S/1996/1029

Identical letters dated 11 December 1996 from the representative of Angola to the Secretary-General and the President of the Security Council

[*Original: English*]
[*11 December 1996*]

I am forwarding to you for the attention of the Security Council a communiqué which refers to the Presidential decrees nominating the nine Generals of the União Nacional para a Independência Total de Angola (UNITA) to various posts in the Angolan Armed Forces (FAA) in accordance with the Declaration issued by the leadership of UNITA in Luanda today, 11 December 1996.

I should like to request that the present letter and its annex be circulated as a document of the Security Council.

(*Signed*) Afonso VAN-DUNEM "MBINDA"
Permanent Representative of Angola
to the United Nations

ANNEX

Communiqué issued at Luanda on 11 December 1996

The Coordinating Body of the Angolan Peace Process reports that the President of the Republic, Mr. Jose Eduardo dos Santos, using the powers given to him by Constitutional Law, has issued orders and respective decrees of appointment to functions in the Ministry of Defence and in the Angolan Armed Forces (FAA) of the following UNITA Generals:

General Demostenes Amos Chilingutila, to be Vice-Minister of Defence;

General Arlindo Chanda Isaac Pena "Ben Ben", to be Deputy Chief of the Armed Forces Staff;

General Augusto Domingos Lutock Liahuka "Wiyn", to be Deputy Inspector General of the Angolan Armed Forces;

General David Salvador Katata, to be Deputy Chief of the Army General Staff;

General Jeronimo George Ngonga Ukuma "Regresso", to be Director of Policies of National Defence;

General Alberto Kanjongo Pongolola, to be Commander of the Luanda district;

Lieutenant-General Felizberto Njele, to be Deputy Chief of the Military Security Service;

Lieutenant-General Job Sungueto Inacio "Long Fellow", to be Director of the Military Academy;

Brigadier Julio Lopes Chipa, to be Second Commander of the Central Military Region.

The Chief of the Armed Forces General Staff has issued the order of incorporation and appointment of the other UNITA high-ranking officers to the Armed Forces.

DOCUMENT S/1996/1034

Letter dated 11 December 1996 from the representative of Sierra Leone to the Secretary-General

[Original: English]
[11 December 1996]

I have the honour to transmit herewith the attached document entitled "Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone" to be circulated as a document of the Security Council.

(*Signed*) James O. C. JONAH
Permanent Representative of Sierra Leone
to the United Nations

ANNEX

Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone, signed at Abidjan on 30 November 1996

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL).

Moved by the imperative need for a just and durable peace in Sierra Leone;

Inspired by the equally imperative need for genuine national unity and reconciliation to end the fratricidal war in Sierra Leone;

Committed to promoting popular participation in governance and full respect for human rights and humanitarian laws;

Dedicated to the advancement of democratic development and to the maintenance of a socio-political order free of inequality, nepotism and corruption;

Determined to foster mutual confidence and trust;

Convinced that a sense of common purpose and patriotism is the need of the hour;

Hereby agree as follows:

Article 1

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides will ensure that a total cessation of hostilities is observed forthwith.

Article 2

The Government and the RUF/SL undertake that no effort shall be spared to effect the scrupulous respect and implementation of the provisions contained in the present Peace Agreement to ensure that the establishment and consolidation of a just peace becomes a priority in Sierra Leone.

Article 3

A national body to be known as the Commission for the Consolidation of Peace shall be established within two weeks of the signing of this Agreement. The Commission shall be a verification mechanism responsible for supervising and monitoring the implementation of and compliance with all the provisions contained in the present Peace Agreement.

The Commission, in fulfilment of this task during the period of consolidating the peace, shall coordinate and facilitate the work of the following bodies which it will proceed to establish:

(i) Socio-Economic Forum;

(ii) Citizen's Consultative Conferences;

(iii) Multi-partisan Council;

(iv) Trust Fund for the Consolidation of Peace;

(v) Demobilizations and Resettlement Committee;

(vi) National Budget and Debt Committee.

The Commission shall comprise representatives of the Government and the Revolutionary United Front of Sierra Leone, drawing on the resources of State and civic institutions as and when necessary.

The Commission shall have the power to recommend the preparation of enabling measures necessary for the implementation and development of the provisions contained in the present Peace Agreement. It shall have the power to issue publicly its conclusions. The parties undertake to comply with the conclusions of the Commission.

The Commission shall have the power to prepare preliminary legislative drafts necessary for the implementation and development of the provisions contained in the present Peace Agreement.

The Parties undertake to consult the Commission before taking decisions on measures relating to the present Peace Agreement.

The Commission may similarly consult the Parties at the highest level whenever it is appropriate.

The Commission shall have access to and may inspect any activity or site connected with the implementation of the present Peace Agreement. The Commission shall have full powers to organize its work in the manner in which it deems most appropriate and to appoint any group or subcommittee which it may deem useful in the discharge of its functions.

The Commission shall have its own offices, adequate communication facilities and adequate secretariat support staff.

A Trust Fund for the Consolidation of Peace shall be established to provide funding for the implementation of the present Peace Agreement.

Article 4

Citizens' Consultative Conferences shall be organized once a year, the first of which shall be organized within one hundred and twenty days of the signing of the present Peace Agreement in order to encourage people's participation and to invite recommendations for the formulation of guidelines and their implementation that will ensure truly fair and representative political processes.

Article 5

The disarmament of combatants will be effected upon their entry into the designated assembly zones, and demobilization and reintegration as soon as practicable thereafter.

The upkeep and welfare of the encamped combatants shall be the primary responsibility of the Government of Sierra Leone in conjunction with the Commission for the Consolidation of Peace, assisted by the international community.

Article 6

The Parties commit themselves to a well-planned national effort on encampment, disarmament, demobilization and resettlement linked to national development objectives. To that end, a Demobilization and Resettlement Committee shall be established within a month of the signing of the present Peace Agreement.

The Committee shall coordinate the encampment, disarmament, demobilization and resettlement of RUF/SL combatants. The Committee shall work in coordination with all the relevant institutions and agencies.

Both Parties shall consult on the nomination of the membership of the Committee which shall not exceed seven persons.

The Committee shall be provided with adequate funding.

Article 7

The Demobilization and Resettlement Committee shall identify assembly zones and camp areas for RUF/SL combatants where they shall be registered, encamped and disarmed. The movement into the Assembly Zones shall commence within one month of the signing of this Agreement and be completed as soon as practicable but no later than three months from this date.

Article 8

The Parties shall request the international community to help supervise and monitor the encampment, disarmament, demobilization and reintegration processes. The Joint Monitoring Group shall have observers at any of these processes.

Article 9

The Commission shall, as a priority, make recommendations on the restructuring and reorientation of the military as well as its leadership. In this context, members of the RUF/SL who may wish to be part of the country's military can become part of the new unified armed forces within a framework to be discussed and agreed upon by the Commission.

Article 10

The Government of Sierra Leone shall ensure the return to barracks of those units of the army not required for normal security duties and the downsizing of the Armed Forces of Sierra Leone (RSLMF), taking into account the security needs of the country.

Article 11

A Neutral Monitoring Group (NMG) from the international community shall be responsible for monitoring breaches of the ceasefire provided under the present Peace Agreement.

Both Parties upon signing the present Agreement shall request the international community to provide neutral monitors.

Such monitors when deployed shall be in position for an initial period of three months.

The Neutral Monitoring Group shall report any violations of the ceasefire to its headquarters which shall in turn communicate the same to the headquarters of the Joint Monitoring Group comprising of representatives of the Government of Sierra Leone and the RUF based in Freetown.

Article 12

The Executive Outcomes shall be withdrawn five weeks after the deployment of the Neutral Monitoring Group (NMG). As from the date of the deployment of the Neutral Monitoring Group, the Executive Outcomes shall be confined to barracks under the supervision of the Joint Monitoring Group and the Neutral Monitoring Group. Government shall use all its endeavours, consistent with its treaty obligations, to repatriate other foreign troops no later than three months after the deployment of the Neutral Monitoring Group or six months after the signing of the Peace Agreement, whichever is earlier.

Article 13

The Parties agree that immediately following the signing of the present Peace Agreement, the RUF/SL shall commence to function as a political movement with the rights, privileges and duties provided by law; and that within thirty days, following that, the necessary conditions shall be created to enable the RUF/SL to register as a political movement according to law.

Article 14

To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL in respect of anything done by them in pursuit of their objectives as members of that organization up to the time of the signing of this Agreement. In addition, legislative and other measures necessary to guarantee former RUF/SL combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

Article 15

The mandate and membership of the existing National Unity and Reconciliation Commission shall be expanded in consultation with the Commission for the Consolidation of Peace to enable it to undertake a sustained and effective campaign of civic education aimed at enhancing national unity and reconciliation, taking into account the imperative need to heal the wounds of the conflict.

Article 16

The Parties agree that the standards of accountability, integrity and probity in the public services of Sierra Leone shall be raised. To that end, immediate steps shall be taken to establish the office of Ombudsman to promote the implementation of a professional code of ethics, and the integrity and patriotism of all public servants. It shall also seek to eradicate all forms of corruption.

Article 17

The Parties shall approach the international community with a view to mobilizing resources which will be used to establish a trust fund to enable the RUF/SL to transform itself into a political party.

Article 18

The Parties agree to the principle of reforming the present electoral process in Sierra Leone. There shall, in that regard, be the full participation of citizens and their organizations in formulating electoral reforms.

The independence and integrity of the National Electoral Commission shall be guaranteed to ensure fair and acceptable electoral exercise.

In reconstituting the National Electoral Commission, the President shall consult all political parties and movements including the RUF/SL to determine the membership and terms of reference of that Commission, paying particular attention to the need for a level playing field in the nation's electoral politics.

Both the Government and the RUF/SL shall, together with other political parties, nominate men and women of professionalism, integrity and objectivity to the National Electoral Commission, not later than three months after the signing of the present Peace Agreement.

It is hereby agreed that no member of the National Electoral Commission shall be eligible for appointment to a political office by any government formed as a result of an election they were mandated to conduct.

Article 19

The Parties agree that the basic civil and political liberties which are recognized by the Sierra Leone legal system and are contained in the Declarations and Principles on Human Rights adopted by the United Nations and the Organization of African Unity, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.

These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

To foster national reconciliation and ensure the full and unrestricted participation of the RUF/SL in the political process, the RUF/SL shall enjoy:

(i) Freedom of the press and access to the media in order that they may be heard and informed.

(ii) Freedom of association, expression, assembly and the right to mobilize and demonstrate freely, and to communicate politically in order that they may organize effectively and set up appropriate infrastructure.

All political prisoners and prisoners of war, if any, shall be released.

Article 20

To monitor compliance with the basic rights guaranteed in the present Peace Agreement, as well as to promote human rights education throughout the various sectors of Sierra Leonean society, including schools, the media, the police and the military, an independent National Commission on Human Rights shall be established.

In pursuance of the above, technical and material assistance may be sought from the United Nations Special Commission on Human Rights, the United Nations Centre for Human Rights, the African Commission on Human and the People's Rights and other relevant international organizations.

The National Commission on Human Rights shall have the power to investigate human rights violations and to institute legal proceedings where appropriate.

Further, a consortium of local human rights groups shall be encouraged to help monitor human rights observance.

Article 21

The Parties undertake to respect the principles and rules of international humanitarian law.

Article 22

In the pursuit of the reconstruction, rehabilitation and socio-economic development of Sierra Leone as a matter of the utmost priority, special attention shall be given to rural and urban poor areas, war victims, disabled persons and other vulnerable groups. The Government in conjunction with the Committee for Demobilization and Resettlement shall cooperate with all political parties and movements, including the RUF/SL, to raise resources internationally for these objectives during the initial phase of the consolidation of peace.

Article 23

The Government shall do all in its power to mobilize resources internally and externally to meet the needs of post-war reconstruction and socio-economic development.

Article 24

The Parties agree that the independence of the judiciary shall be strengthened in accordance with its role of ensuring the fair and impartial dispensation of justice in a democratic order. The composition of the present Judicial and Legal Service Commission shall be determined so as to ensure the independence of the judiciary from the other organs of State as well as the political parties. Its membership shall include, in addition to judges and representatives of the legal profession and public services, representatives of other sectors of society not directly connected with the administration of justice.

Article 25

The Police Force shall be strengthened to ensure that the rule of law is upheld throughout Sierra Leone. To that end, the present Police Force shall be vetted. Furthermore, the professional training of the Police Force shall henceforth assure a new orientation, by emphasizing professionalism, the importance of human dignity and democratic values and respect and protection of human rights. It shall, further, emphasize that the conduct of members of the Police Force shall be free from all partisan considerations of politics, ideology and social position and that the Police Force shall avoid and combat corruption.

Nominations for the Police Council will come from wider sectors of society prior to their appointment so as to ensure their truly civilian and non-partisan character.

Article 26

It is recognized that there is a socio-economic dimension to the conflict which must also be addressed in order to consolidate the foundation of the peace. Accordingly, the socio-economic policy of Sierra Leone shall be guided among other things, by the following principles, taking into account available resources:

(i) Enhancement of the nation's productive capacity through meaningful grassroots participation in the reconstruction and development of the country;

(ii) The provision of equal opportunities to all Sierra Leoneans especially those in the countryside and the urban poor, with the aim of equitable distribution of the nation's resources thereby empowering them to contribute effectively to decision-making and implementation of policies which affect their lives;

(iii) Improving the quality of life of the people through the provision of inter alia,

   a. Primary health care in all villages and towns;

   b. Affordable and quality housing, especially in the countryside and poor urban areas;

   c. Improved educational services to enable all children of primary and junior-secondary school age to receive free and compulsory schooling as well as provide the opportunity for the youth and all other Sierra Leoneans to receive affordable quality education;

   d. Clean drinking water and a sewerage system in every village and town;

   e. Provide job opportunities in a systematic and sustainable way for the people, especially the youth;

   f. Promote and sustain rural development and support agriculture in terms of technical, credit and marketing facilities;

   g. Provide support for production and provision of basic food and nutritional requirements of the people and food security in general;

   h. Protect the environment and regulate the exploitation of natural resources in the interest of the people, as well as prohibit monopolies;

i. Provide the required infrastructure such as roads, transport and communications, energy and rural electrification, for improved living conditions, especially of the rural people;

j. Seek to obtain debt relief in order to transfer funds from debt servicing to meet the urgent requirements of rebuilding a war-torn society.

Article 27

A broad-based socio-economic forum, in which the RUF/SL shall participate, shall be established with a view to enriching policy formulation and execution in the socio-economic sector.

Article 28

The Government of Côte d'Ivoire, the United Nations, the Organization of African Unity and the Commonwealth shall stand as moral guarantors that the present Peace Agreement is implemented with integrity and in good faith by both parties.

ANNEX TO THE PRESENT AGREEMENT

A nationwide sensitization programme for the peace process shall be pursued by the Parties, using all available means of communication to impress upon their combatants and the nation at large:

- **The fact that hostilities have ended;**
- **The reasons for demobilization;**
- **The opportunities for reintegration of combatants;**
- **Need for reconciliation and lasting peace.**

Done in Abidjan this 30th day of the month of November 1996.

***(Signed)* Alhaji Dr. Ahmad Tejan Kabbah**
President of the Republic of Sierra Leone

***(Signed)* Henri Konan Bedie**
President of the Republic of Côte d'Ivoire

***(Signed)* Adwoa Coleman**
Representative of the Organization of African Unity (OAU)

***(Signed)* Corporal Foday Saybana Sankoh**
Leader of the Revolutionary United Front (RUF)

***(Signed)* Berhanu Dinka**
Special Envoy of the United Nations Secretary-General for Sierra Leone

***(Signed)* Moses Anafu**
Representative of the Commonwealth Organization

DOCUMENT S/1996/1042

Report of the Secretary-General on the return of Kuwaiti property seized by Iraq

[*Original: English*]
[*16 December 1996*]

1. The present report is submitted pursuant to paragraph 15 of Security Council resolution 687 (1991), in which the Council requested the Secretary-General to report on steps taken to facilitate the return of all Kuwaiti property seized by Iraq. A list of the property returned since the issuance of my report of 2 and 11 March 1994 [*S/1994/243 and Add.1*] is contained in the summary annexed to the present document.

2. The Government of Kuwait continues to stress the importance it attaches to the return of archives belonging to the Offices of the Amir, the Prime Minister, the Cabinet and the Foreign Ministry. It has also drawn attention to the fact that private properties have not been returned, nor have items of military property including 8 Mirage F1s, 200 BMB2 carriers, 6 M84 tanks, 90 M113 carriers, one Hawk missile battery, 483 strila 3 missile batteries, 206 Osa missile batteries, and 5 Amon anti-aircraft missile batteries. These items have been brought to the attention of representatives of the Government of Iraq on a number of occasions.

3. Mr. Raymond Sommereyns, Director of the West Asia Division of the Department of Political Affairs of the Secretariat, continues to serve as my Coordinator for the return of property. In that capacity, he will remain available to receive, register and submit to Iraq claims presented by Kuwait and to facilitate the return of any property which Iraq may declare to be in its possession. The original hand-over documents for all returned items are available for inspection in the Department of Political Affairs.

ANNEX

Summary of hand-over operations for the period from 2 March 1994 to 15 October 1996

Hand-over document			
Number	***Date***	***Items description***	***Hand-over location***
		MINISTRY OF DEFENSE	
01001	**22-04-95**	**18 APC M-113**	**VIM QASR, IL4Q**
01002	**23-04-95**	**15 APC M-113**	**"**
01003	**24-04-95**	**12 APC M-113**	**"**
01004	**24-04-95**	**12 APC M-113 COMMANDER**	**"**

Summary of hand-over operations for the period from 2 March 1994 to 15 October 1996 ***(continued)***

Hand-over document			
Number	*Date*	*Items description*	*Hand-over location*
		MINISTRY OF DEFENSE *(continued)*	
01005	25-04-95	JEEP M151 AND OTHER CARS	„
01006	25-04-95	12 APC M-113 COMMANDER	„
01007	26-04-95	VARIOUS TRUCKS	„
01008	26-04-95	VARIOUS CARS	„
01009	26-04-95	20 APC M-113	„
01010	26-04-95	VARIOUS CARS	„
01011	26-04-95	VARIOUS CARS	„
01012	29-04-95	120 DIFFERENT KIND OF GUNS	„
01013	29-04-95	12 APC M-113	„
01014	29-04-95	STRELLA 2 MISSILE QTY (149)	„
01015	30-04-95	VARIOUS CARS	„
01016	30-04-95	20 APC M-113	„
01017	01-05-95	6 APC M-113 AND 12 APC FAHD	„
01018	01-05-95	VARIOUS CARS	„
01019	02-05-95	25 APC FAHD	„
01020	02-05-95	GUN MORTAR QTY (42)	„
01021	03-05-95	TRAILERS AND HEAD TRUCKS	„
01022	06-05-95	APC M-113 AND TRUCKS	„
01023	14-05-95	VARIOUS VANS AND CRANES	„
01024	15-05-95	VARIOUS CARS	„
01025	15-05-95	BATTERY AND BATTERY CHARGERS AND OTHER ITEMS	„
01026	22-05-95	37 JEEP M151 AND 20 TOYOTA BUSES	„
01027	21-05-95	M548 AMMUNITION CARRIERS(3), F/3 FRENCH GUN 155 QTY (5)	„
01028	22-05-95	5 APC M-113	„
01029	22-05-95	8 LOW BED (70T) TRAILERS ONE HIGH BED (10T) TRAILER	„
01030	22-05-95	6 JEEP M151 AND NISSAN P/UP	„
01031	23-05-95	AMBULANCES QTY 43 AND DIFFERENT TYPES OF CARS	„
01032	24-05-95	APC SALAHDIN TRAINER AND 26 APC SALAHDIN	„
01033	27-05-95	0-0-SA RUSSIAN MOBILE FIRE CONTROL UNIT QTY2	„
01034	29-05-95	15 LOW BED TRAILERS (70T) AND A LOW BED TRAILER (15T)	„
01035	29-05-95	3 VICKERS TANKS, 3 APC FAHD AND OTHER EQUIPMENT	„
01036	04-06-95	26 LOW BED TRAILERS AND 6 TIRES WITH RIMS 24_20.5	„
01037	26-06-95	13 SCOUT CAR FERRET AND A GMC P/UP TRUCK	„
01038	27-06-95	CRANE WINCH TOYO (20T), 22 BUS NISSAN AND OTHER EQUIPMENT	„
01039	28-06-95	4 CRANE WINCH (20T) AND OTHER EQUIPMENT	„
01041	08-06-95	TOYOTA P/UP	„
		COFFEE POT BELONGING TO SHEIKH ABDULLAH AL-MUBARAK AL-SABAH	
01040	28-06-95	COFFEE POT	UM QASR, IRAQ
		NAVY	
01042	08-07-95	VARIOUS NAVY EQUIPMENT AND SPARE PARTS	UM QASR, IRAQ
01043	11-07-95	TWO LANDING CRAFTS, ONE TUG BOAT	BUOY 5, PERSIAN GULF
		INSTITUTE FOR ARABIC MANUSCRIPTS	
01044	21-10-95	LIBRARY, MANUSCRIPTS' MICROFICHE AND PHOTOGRAPHY EQUIPMENT	UM QASR, IRAQ
		MINISTRY OF HEALTH	
01045	22-10-95	20 MITTER SURVEY LAUNCH BOAT, MIJRIM	BUOY 5, PERSIAN GULF
		ARABIC CENTER FOR EDUCATIONAL RESEARCH	
01046	26-3-96	OFFICE FURNITURE	UM QASR. IRAQ

Hand-over document			
Number	*Date*	*Items description*	*Hand-over location*
		AMIR'S BELONGINGS	
01047	15-10-96	FIVE SWORDS, TWO RUGS, THREE GILDED VESSELS, A GOLDEN PATEK PHILIPPE POCKET WATCH WITH KNIFE AND CHANE, A SHIELD AND A WOODEN PANEL WITH A METAL PIECE	VIM QASR. IRAQ
		FREE ART STUDIO	
01700	16-04-94	66 OIL PAINTINGS AND CARVINGS	SAFWAN, IRAQ
		UNITED ARAB MARITIME COMPANY	
01900	26-03-94	FILES AND SUPPLIES	SAFWAN, IRAQ
		MINISTRY OF FOREIGN AFFAIRS	
01901	15-08-94	36 BEEPERS UNIT, BEEPER TRANSMITTER AND WOODEN PANEL	SAFWAN, IRAQ
02000	07-02-95	MAIN LANDING GEAR AND OTHER EQUIPMENT	AL-SUWAIRA AIR
02001	08-02-95	LANDING GEAR CONT. ASSEMBLY AND OTHER EQUIPMENT	BASE, IRAQ
02002	11-02-95	RESERVOIR AND OTHER EQUIPMENT	"
02003	12-02-95	EXTERNAL FUEL TANK AND OTHER EQUIPMENT	"
02004	13-2-95	PROP DOMES AND OTHER EQUIPMENT	"
02005	14-02-95	PROP ASSEMBLIES AND OTHER EQUIPMENT	"
02006	18-2-95	T-56 No. 1 AND No. 4 ENGINES	"
02007	19-02-95	WEATHER RADAR AND OTHER EQUIPMENT	"
02008	22-02-95	EXTERNAL FUEL PANEL, MLG TIRES AND FUEL SURGE SUPPRESSOR	AL-SUWAIRA AIR
02009	27-02-95	MAIN AND NOSE SHOCK STRUTS AND HORIZONTAL STABILIZER	BASE, IRAQ
02010	28-02-95	ENGINES ASSEMBLIES AND OTHER EQUIPMENT	"
02011	07-02-95	MAINTENANCE PUBLICATIONS AND OTHER EQUIPMENT	"
02012	11-03-95	AFT CARGO FLAP AND PALLET (SCRAP METAL)	"
02013	12-03-95	MOTOR FLAP AND OTHER EQUIPMENT	"
02014	14-03-95	SCRAP PALLET	"
02015	19-03-95	NOSE, TAIL SECTIONS AND OTHER EQUIPMENT	"

DOCUMENTS S/1996/1045 AND Add.1 AND 2

Report of the Secretary-General on Central America: efforts towards peace

DOCUMENT S/1996/1045

[*Original: English*]
[*17 December 1996*]

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to the request of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), which is contained in the Framework Agreement for the Resumption of the Negotiating Process [*S/1994/53, annex*] and in all subsequent agreements, for the United Nations to carry out international verification of the peace accords which they have been negotiating with the assistance of the United Nations. The report is concerned exclusively with the agreement on the definitive ceasefire, which was signed by the parties on 4 December 1996 in Oslo and whose text is attached (without its detailed annexes), and follows upon my report of 26 November 1996 to the General Assembly, which was also circulated to the Security Council [*S/1996/998*]. In that report I indicated (para. 12) that verification of measures related to the ceasefire agreement would be required very soon after signature of the overall package of peace accords and would, *inter alia*, involve the deployment of United Nations military personnel to verify the ceasefire, the separation of forces and the demobilization of URNG combatants.

2. The agreement on the definitive ceasefire will come into force, like other agreements in the overall peace package, upon the signing of the final peace agreement, which is scheduled for 29 December 1996 in Guatemala City. Subject to the Council's approval, the agreement will then require, within a short time, an increase in the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the

Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), through the addition, for a period of three months, of a military component to undertake verification of its implementation.

3. The purpose of the present report is to convey to the Security Council my recommendations on how the proposed military component of MINUGUA should undertake the responsibilities entrusted to it by the ceasefire agreement and on what changes will as a result be required in its organization and strength. These recommendations are based on the findings of a technical survey team of the Secretariat which has visited Guatemala to assess requirements and to prepare for the possible deployment of United Nations military personnel.

II. VERIFICATION REQUIREMENTS ARISING FROM THE AGREEMENT ON THE DEFINITIVE CEASEFIRE

A. *Ceasefire*

4. The agreement provides that the ceasefire will enter into force as of 0000 hours on D-day, the date on which the United Nations verification mechanism shall be in place with a full operational capacity, and that the process must be completed no later than D+60, with the demobilization of approximately 3,000 URNG combatants. From D-10 to D-day, the United Nations is asked to deploy its personnel and equipment in order to verify the ceasefire at the sites agreed by the parties. During the ceasefire, MINUGUA military observers will be present in designated military units of the Guatemalan armed forces (GAF) and at URNG assembly points for purposes of verification. Any alleged violation of the ceasefire is to be investigated, verified and reported by MINUGUA military observers.

B. *Separation of forces*

5. A separation of forces is to be carried out in several stages, with certain Guatemalan army units redeploying to specified locations and URNG assembling at various sites before moving to designated assembly points. The parties are to communicate to MINUGUA military observers, no later than D-10, the full programme for the moves of their respective forces, including composition, routes to be taken and any other information needed to complete the verification. Redeployment of the units of the Guatemalan armed forces is to begin on D+2 and to continue until D+10 or earlier. URNG troops will begin to move from D+11 to D+21, but only if the Guatemalan armed forces have completed their movement. Each URNG group moving to the assembly points will be escorted by United Nations military officers.

6. URNG combatants are to be concentrated at eight assembly points. They will move to these points after D-day only along designated transit routes. After D-day, assembled combatants will be prohibited from leaving the assembly points without the consent and verification of United Nations personnel. United Nations military observers will provide unarmed escort to URNG combatants when they need to leave the assembly points for purposes specified in the agreement.

7. From D-day until URNG has completed its movement to the assembly points, United Nations military observers will establish 8 team sites of 15 personnel each in order to verify the ceasefire. Another 32 personnel will be positioned at the 8 team sites for command and control purposes.

8. The redeployment of GAF units will result in the establishment of areas in which the armed forces are not present. The minimum distance between GAF units and URNG assembly points will be 6 kilometres. A security zone with a radius of 6 kilometres will thus be established around each assembly point and the only military personnel permitted access to these zones will be those of the United Nations. Any police activities inside these zones will be subject to coordination with the United Nations verification authorities. A coordination zone with a radius of a further 6 kilometres will be established around each security zone. Movement in the coordination zones by units of the Guatemalan armed forces or volunteer civil defence committees (CVDCs) must be coordinated in advance with United Nations military personnel.

C. *Disarming of the Unidad Revolucionaria Nacional Guatemalteca*

9. The registration and storage of weapons in the URNG assembly points will be controlled and verified by the permanent presence of United Nations military observers, prior to the complete demobilization of URNG combatants. URNG is to provide the United Nations with detailed information on the number of its combatants, inventories of weapons, explosives and mines and of all other military equipment, both in its possession and in storage. Disarming will consist of the depositing, registration and handing over to the United Nations of all types of offensive and defensive weapons, explosives and munitions by URNG combatants. From D+11 to D+42, URNG will deposit its military equipment and weapons in special warehouses designated by the United Nations; combatants will, however, keep their personal equipment and weapons as long as they remain at assembly points. Each warehouse will have two locks, with one key held by a United Nations officer and the other by the URNG official in charge of each assembly point. URNG weapons will be transferred to the appropriate Guatemalan authorities by the United Nations after the completion of demobilization. URNG combatants will hand over their personal weapons and uniforms before being issued a demobilization certificate and leaving the assembly point.

D. *Demobilization*

10. The agreement provides that the demobilization of combatants of URNG, which will put an end to its military structure, will be carried out in the following phases: from

D+43 to D+48: 33 per cent; from D+49 to D+54: 66 per cent; from D+55 to D+60: 100 per cent.

E. *Concept of operations*

11. If the Security Council agrees that MINUGUA's strength should be increased to permit it to fulfil the additional verification functions described above, it will be necessary to establish a military component in the Mission. This new component would be under the overall control of the Head of the Mission. It would be commanded by an officer at the rank of Brigadier General, who would be appointed by the Secretary-General after consultations with the parties and with the consent of the Security Council. The personnel of the military component would be contributed by Member States at the request of the Secretary-General after consultation with the parties and with the Security Council's approval. The military component would require a strength of 155 officers and some medical personnel until the verification process described above is completed. The members of the military component would have to arrive in the Mission area no later than D-15.

12. Between that day and D-day, the main headquarters of the military component would be established for command, control and logistic purposes in Guatemala City. There would be sector headquarters in Guatemala City and Santa Cruz de Quiché. As noted above, MINUGUA military observers would deploy to 8 verification team sites in the immediate vicinity of the established URNG assembly points. These team sites would ensure a permanent United Nations presence at the URNG assembly points and at designated bases of the Guatemalan armed forces. The teams would execute their verification tasks by patrolling the security and coordination zones by ground and air. They would liaise with the headquarters of the Guatemalan armed forces, its regional commands and URNG at the designated locations and assembly points. For the purpose of coordination, a joint working group would be established with the participation of representatives of both parties to the agreement.

13. If this process is to succeed, the assembly points will have to be fully prepared to receive URNG combatants. A mechanism coordinated by the United Nations has accordingly been established to oversee their preparation. The European Union (EU), the Organization of American States (OAS) and the United States Agency for International Development (USAID), along with several Member States and the Government of Guatemala, are contributing to this undertaking.

14. There would also be additional requirements for premises/accommodation, transport and air operations, communications and miscellaneous equipment. In addition to MINUGUA's existing helicopter, two others with all-weather capability would be required. I shall submit, as soon as possible, an addendum to the present report with preliminary cost estimates for the addition of a military component to MINUGUA for the three-month period envisaged.

III. OBSERVATIONS

15. The Agreement on the Definitive Ceasefire was the third agreement in the Guatemalan peace process to be signed this year. Its signing had been preceded by that of the Agreement on Social and Economic Issues and Agrarian Situation, at Mexico City on 6 May 1996,[10] and that of the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society, also at Mexico City, on 19 September 1996 [*S/1996/853, annex*]. Since its signature on 4 December 1996, two other agreements have been signed: the Agreement on Constitutional Reforms and the Electoral Regime, on 7 December 1996 at Stockholm; and the Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca into the political life of the country, on 12 December 1996 at Madrid. The agreement on the timetable for the implementation and monitoring of the peace agreements will provide that the staggered demobilization of the URNG forces must be started at the same time as the implementation of the undertakings set out in the peace agreements as a whole.

16. Both parties thus want to see the military aspects of the peace settlement implemented as soon as possible after the signature of the final peace agreement, which is scheduled to take place at Guatemala City on 29 December 1996. This creates a need for the United Nations to deploy MINUGUA's new military component very rapidly after that date. I am therefore presenting the present report to the Security Council in advance of the signature of the final peace agreement. The only agreement in the overall package which remains to be negotiated is the timetable for the implementation and verification of the peace accords. I am confident that the negotiation of that agreement will be rapidly concluded and that it will be signed, as scheduled, at the same time as the final agreement on a firm and lasting peace.

17. The General Assembly has so far assumed the central role in promoting and supporting the peace process in Guatemala, including especially its decision to establish MINUGUA and subsequently to extend that Mission's mandate on a number of occasions. Verification of the definitive ceasefire will, however, require the deployment of United Nations military observers, as described in the present report. In accordance with the established practice of the United Nations, such deployment will require authorization by the Security Council, which has consistently supported the peace process in Central America since it first commended the efforts of the Contadora countries in resolution 530 (1983). The Security Council may wish to grant me contingent authority to take the necessary steps to ensure that the United Nations will be able to attach a military component to MINUGUA, with the mandate, strength and structure proposed in the present report, as soon as possible after the final peace agreement has been signed. Authorization for the actual deployment of the component would be sought as soon as it is confirmed that the final peace agreement has been signed.

ANNEX

Agreement on the Definitive Ceasefire

[*Original: Spanish*]

Whereas:

The definitive ceasefire is the outcome of the concluding of the substantive agreements emanating from the peace process and is also related to the operational agreements on the basis for the legal integration of the Unidad Revolucionaria Nacional Guatemalteca (URNG) in the political life of the country and the timetable for the implementation and monitoring of the peace agreements, according to which the staggered demobilization of URNG forces called for under this Agreement must be started at the same time as the implementation of the undertakings set out in the peace agreements,

The Government of Guatemala reiterates that the incorporation of URNG in the political and legal life of the country, under conditions of security and dignity, is in the national interest, given that it is directly related to the objective of reconciliation and the consolidation of a democratic system open to all, and to the contribution of all Guatemalans in building a prosperous country, a just and equitable socio-economic system and a multicultural, multiethnic and multilingual nation,

The contents of the peace agreements reflect a national consensus, having been endorsed by the various groups represented in the Assembly of Civil Society and outside it, and thus making the progressive implementation of the peace agreements a national agenda that must address the legitimate aspirations of Guatemalans while uniting the efforts of all behind these common objectives,

The agreement on a definitive ceasefire testifies to the decision by the political-military structure of URNG to constitute itself as a lawful political body and to be a participant, together with the Government and civil society, in working for peace, development and the common good,

During the current phase of negotiations the Government of Guatemala and the forces most representative of Guatemalan society have played a major role in creating the climate of trust which exists between the parties, who recognize that the support of the international community is an important element in the negotiation process,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (hereinafter "the Parties") have agreed as follows:

A. *Ceasefire*

Concept

1. Ceasefire means the cessation of all insurgent action by URNG units and the cessation of all counter-insurgent action by the Guatemalan armed forces.

Entry into force

2. The ceasefire shall enter into force as of 0000 hours on D-day, the date on which the United Nations verification mechanism shall be in place with full operational capacity. This phase must be completed no later than D+60, with the demobilization of URNG.

3. The parties agree to maintain the current cessation of offensive military activity by URNG and of counter-insurgent military activities by the Guatemalan armed forces until D-day.

4. The United Nations shall notify the parties of the establishment of the verification mechanism as soon as possible so that D-day may be set.

Deployment of the verification mechanism

5. From D-10 to D-day the United Nations shall deploy its personnel and equipment in order to verify the ceasefire at the sites determined by the parties in the annexes to this Agreement.

Verification sites

6. For purposes of verification, during the period of the ceasefire, representatives of the United Nations shall be present in the military units of the Guatemalan armed forces designated in annex C and at the URNG assembly points specified in annex A to this Agreement.

Ban on political propaganda

7. During troop movements and once at the assembly points, the assembled forces may not engage in any propaganda or political activities beyond the assembly points.

B. *Separation of forces*

Concepts

8. Redeployment of Guatemalan armed forces units: withdrawal means the establishment of spaces in which there is no Guatemalan armed forces presence of any kind. These spaces are to ensure safety and logistical support for URNG in order to facilitate verification by the United Nations.

9. Assembly and disarming of URNG members: assembly of URNG members shall take place at the points specified by the parties. Their size shall be determined by the number of URNG members to be assembled and shall be sufficient to allow for temporary residence in adequate conditions.

Separation distance

10. Once the assembly points for members of URNG have been agreed upon and the military units of the Guatemalan armed forces referred to in annex C have been redeployed, the minimum distance between the units and the assembly points shall be 6 kilometres, in order to ensure that the operation proceeds without incident. The URNG assembly points shall be located preferably no less than 20 kilometres from the border.

Security zone

11. A security zone having a radius of 6 kilometres shall be established around each assembly point in which no units of the Guatemalan armed forces, Volunteer Civil Defence Committees (CVDC) or members of URNG may be present.

12. Only United Nations verification units may have access to these zones. Police activities may be carried out subject to coordination with the United Nations verification authority.

Coordination zone

13. A coordination zone extending a further 6 kilometres shall be established around each security zone. Movement by military units of the Guatemalan armed forces and CVDCs must be coordinated in advance with the United Nations verification authority.

Establishment of assembly points and transit routes

14. Assembly points and transit routes are listed in the following annexes to this Agreement:

(a) Annex A: Assembly points for URNG units;

(b) Annex B: Transit routes by which URNG units are to travel to the assembly points;

(c) Annex C: Redeployment and location of Guatemalan armed forces military units subject to verification.

Information concerning troops and weapons

15. URNG shall provide the United Nations with detailed information on the number of troops, lists of names, inventories of weapons, explosives and mines and all other necessary information concerning the existence of minefields, munitions and other military equipment, both in their possession and in storage. The Guatemalan armed forces shall likewise provide

updated information on the number of troops in the units to be redeployed which are identified in annex C. Both parties shall transmit this information to the verification authority no later than D+15.

16. The parties agree to transmit to the verification authority within the time agreed with both of them any additional information required by the authority.

Start of redeployment

17. Redeployment of the units of the Guatemalan armed forces designated in annex C shall begin on D+2 and shall continue until D+10, or earlier, if possible.

18. URNG troops shall begin to move towards the assembly points designated in annex A from D+11 to D+21 or earlier, if possible. They shall be accompanied in this move by the verification mission.

19. The Parties shall communicate to the United Nations verification authority no later than D-10 the full programme for the moves of their respective forces (composition, route to be taken, when the move is to begin and any other information needed to complete the verification).

Troops to be assembled

20. The troops to be assembled by URNG are as follows:

(a) Members of the various guerrilla fronts or their equivalent in each URNG organization, having command, policy, security, intelligence, logistic, medical service, permanent force and minor unit structures;

(b) Armed elements organized into groups known as local, resistance guerrilla forces and similar groups in each URNG organization, which have been established to provide combat support;

(c) Armed elements organized into groups operating in the urban and suburban fronts of the various URNG organizations.

Restrictions on assembled URNG troops

21. Assembled URNG elements undertake not to leave the assembly points without the consent and verification of the United Nations. They may do so if they are unarmed and accompanied by verification representatives in coordination with the Government of Guatemala, in the cases provided for in the following subparagraphs:

(a) Medical treatment;

(b) To hand over clandestine stores of arms, munitions and equipment located anywhere;

(c) To point out areas where there are minefields;

(d) For any other humanitarian purpose, whether individual or collective;

(e) To conduct consultations with other assembly points or working groups.

Verification of military units of the Guatemalan armed forces designated in annex C

22. The military units of the Guatemalan armed forces designated in annex C of this document shall be subject to verification programmes by the United Nations during the ceasefire process and shall give prior notice of their movements to the verification authority when such movements are scheduled to be conducted within the coordination zones.

Restriction of airspace

23. This shall enter into force on D-Day; utilization of airspace shall remain restricted as follows:

(a) Military flights over security zones shall be prohibited save in case of disaster or public emergency in which case advance notice of such flights shall be given to the United Nations verification authority;

(b) Military flights over coordination zones shall be permitted with advance notification to the United Nations verification mission.

Disarming of URNG

24. Disarming shall consist of the depositing, registration and handing over to the United Nations of all types of offensive and defensive weapons, munitions, explosives, mines and other supplementary military equipment in the possession of URNG forces, whether in their possession or in minefields or clandestine storage anywhere.

Control of armaments

25. From D+11 to D+42 in URNG assembly points, weapons, munitions and other military equipment shall be deposited in special warehouses designated by the United Nations; combatants, however, shall keep their personal equipment and weapons as long as they remain in those locations.

26. Each warehouse shall have two locks; one key shall be held by the United Nations and the other by the URNG official in charge of each encampment. The United Nations shall periodically check the inventory of each warehouse.

C. *Demobilization*

Concept

27. Demobilization means the ending of URNG military structures in the agreed assembly points. The integration of URNG in the country's political life shall proceed in accordance with the agreement on basis for the integration of URNG into the political life of the country, which is subject to United Nations verification.

Operational aspects

28. The phased demobilization of URNG combatants and their integration, within a framework of legality, into the civil, political, socio-economic and institutional life of the country shall be based on the provisions of the agreement on basis for the integration of URNG into the political life of the country and in accordance with the implementation of the agreement on the timetable for implementation and verification of the peace agreements. The demobilization shall be carried out as follows:

(a) From D+43 to D+48: 33 per cent;

(b) From D+49 to D+54: 66 per cent;

(c) From D+55 to D+60: 100 per cent.

Logistical support

29. A commission made up of representatives of URNG and of the Government of Guatemala shall be established under the coordination of the United Nations, in order to provide logistical support to the ceasefire and demobilization process. The number of members of the Commission shall be determined in accordance with needs.

Handing over of weapons and munitions

30. Prior to the demobilization of the last group of combatants, and by D+60 at the latest, URNG shall hand over to the United Nations all weapons and military equipment of its forces whether in its possession or in storage.

D. *Verification*

Term

31. International verification by the United Nations means on-site monitoring of the fulfilment by both parties of the commitments entered into in this Agreement.

Start of verification

32. Verification shall start on D-day when the ceasefire comes into effect, in accordance with the provisions of this Agreement, without thereby restricting fulfilment by the Guatemalan armed forces of their constitutional function in the rest of the national territory.

Coordination and follow-up

33. For the purposes of coordination and follow-up the Parties undertake to designate officials, at different levels, to liaise with the verification authority.

E. *Final provision*

This Agreement shall be part of the Agreement on a firm and lasting peace and shall enter into force when the latter is signed.

Oslo, 4 December 1996

For the Government of Guatemala

(*Signed*) Gustavo PORRAS CASTEJÓN

(*Signed*) Raquel ZELAYA ROSALES

(*Signed*) Otto PÉREZ MOLINA *Brigadier General*

(*Signed*) Richard AITKENHEAD CASTILLO

For the Unidad Revolucionaria Nacional Guatemalteca

(*Signed*) Commander Rolando MORAN

(*Signed*) Carlos GONZALES

(*Signed*) Commander Pablo MONSANTO

(*Signed*) Jorge ROSAL

For the United Nations

(*Signed*) Jean ARNAULT
Moderator

DOCUMENT S/1996/1045/Add.1

[*Original: English*]
[*23 December 1996*]

1. In my report to the Security Council dated 17 December 1996 [*S/1996/1045*], I indicated in paragraph 14 that I would submit, as soon as possible, an addendum to the report that would contain a statement of the financial implications for the addition of a military component to the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA).

2. The estimated costs associated with the operation of a military component to be attached to MINUGUA for a period of three months would amount to $3.4 million. This estimate provides for the recommended strength of 155 military observers.

3. A breakdown of the estimated financial requirements is provided by main categories of expenditures, for information purposes, in the annex to the present addendum. Should the Security Council decide to authorize the deployment and implementation of the military component of MINUGUA, it would be my recommendation to the General Assembly that the costs relating thereto be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to the special account to be established for this purpose.

ANNEX

Estimated cost for the military component of MINUGUA for a period of three months

		Amount (thousands of United States dollars)
1.	Military personnel	1 000
2.	Civilian personnel	400
3.	Premises/accommodation	100
4.	Infrastructure repairs	600
5.	Transport operations	50
6.	Air operations	600
7.	Naval operations	–
8.	Communications	200
9.	Other equipment	100
10.	Supplies and services	100
11.	Election-related supplies and services	–
12.	Public information programmes	–
13.	Training programmes	–
14.	Mine-clearing programmes	–
15.	Assistance for disarmament and demobilization	–
16.	Air and surface freight	200
17.	Integrated Management Information System	–
18.	Support account for peacekeeping operations	–
19.	Staff assessment	50
	Total, lines 1-19	**3 400**

DOCUMENT S/1996/1045/ADD.2

[*Original: English*]
[*30 December 1996*]

1. Further to my report of 17 and 23 December 1996 [*S/1996/1045 and Add.1*], I am pleased to inform the Security Council that the Agreement on a Firm and Lasting Peace was signed at Guatemala City on 29 December 1996 by representatives of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG). That Agreement brings into force all other agreements signed by the parties in the course of the negotiations moderated by the United Nations, including the Agreement on the Definitive Ceasefire signed on 4 December 1996 and made available to the Council as an annex to my report of 17 December.

2. As I explained in that report, verification of the definitive ceasefire will require the deployment of United Nations military personnel in a military component to be attached to the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA). Accordingly, I now request the authorization of the Security Council for the deployment of this component of 155 military observers for a period of three months. At the end of that period, the Secretary-General would submit a report to the Council on the activities of the component. As in the past, reports to the General Assembly on the other mandated activities of MINUGUA will also continue to be circulated as documents of the Council.

DOCUMENT S/1996/1049

Letter dated 13 December 1996 from the Secretary-General to the President of the Security Council

[*Original: English*]
[*17 December 1996*]

I have the honour to refer to the statement by the President of the Security Council dated 4 December 1996 [*S/PRST/1996/46*], welcoming the Peace Agreement signed by the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone in Abidjan on 30 November 1996. In that statement, the Security Council expressed, *inter alia*, its intention to continue to support the development of peace and democracy in Sierra Leone, in particular the need for a successful process of demobilization and reintegration of former combatants. It also expressed its readiness to assist in this process.

In this connection, I am forwarding herewith to the Security Council two letters addressed to me by the President of Sierra Leone, Alhaji Dr. Ahmad Tejan Kabbah, and by the leader of the Revolutionary United Front, Mr. Foday Saybana Sankoh, which I received on 11 and 13 December 1996 respectively. In these letters, President Kabbah and Mr. Sankoh request the United Nations to provide, in accordance with the terms of the Peace Agreement, neutral international observers to monitor the peace in Sierra Leone.

It would be my intention, subject to the concurrence of the Security Council, to send an assessment mission to Sierra Leone to develop recommendations on ways in which the United Nations could assist in this regard.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Boutros BOUTROS-GHALI

ANNEX I

Letter dated 9 December 1996 from the President of Sierra Leone to the Secretary-General

RE: Provision of neutral peace observers

In accordance with the terms of the Peace Agreement signed by the Government of Sierra Leone and the Revolutionary United Front on Saturday, 30 November 1996, I have great pleasure in requesting you to assist in providing neutral international observers to monitor the peace in Sierra Leone. It is my hope that these observers will be provided within the shortest possible time to assure that the implementation of the Peace Agreement is not impeded.

While thanking you and the United Nations for the valuable contribution made to the entire peace process in Sierra Leone, I trust that this matter will receive your most urgent attention and cooperation.

(*Signed*) Alhaji Dr. Ahmad Tejan KABBAH
President of the Republic of Sierra Leone

ANNEX II

Letter dated 30 November 1996 from the leader of the Revolutionary United Front of Sierra Leone to the Secretary-General

RE: Provision of neutral peace observers

In accordance with the terms of the Peace Agreement signed by our two parties in Abidjan today, Saturday, 30 November 1996, we have great pleasure in requesting you to assist in providing neutral international observers to monitor the peace in Sierra Leone. It is our expectation that these observers will be provided within the shortest possible time to assure that the implementation of the Peace Agreement is not impeded.

While thanking you and the Organization for the valuable contribution made to the entire peace process in Sierra Leone, it is our fervent hope that this matter will receive your most urgent attention and cooperation.

(*Signed*) Foday Saybana SANKOH
Leader, Revolutionary United Front of Sierra Leone

DOCUMENT S/1996/1055

Report of the Secretary-General on his mission of good offices in Cyprus

[*Original: English*]
[*17 December 1996*]

I. INTRODUCTION

1. The present report is submitted pursuant to the Security Council's request in paragraph 14 of its resolution 1062 (1996) of 28 June 1996 that I report on the implementation of that resolution. My report on those aspects of the resolution which relate to the United Nations peacekeeping operation in Cyprus has already been submitted to the Council, on 10 December 1996 [*S/1996/1016*]. The present report concerns my mission of good offices.

2. In the most recent report on my mission of good offices, dated 25 June 1996 [*S/1996/467*], I informed the Council that the considerable efforts undertaken during the previous 20 months had not succeeded in breaking the impasse in Cyprus. They had included a number of separate meetings between myself and the leaders of the two communities; direct talks between the two leaders hosted in October 1994 by my Deputy Special Representative, Mr. Gustave Feissel; various missions to Cyprus, Greece and Turkey by

my then Special Representative, Mr. Joe Clark; and efforts by a number of interested Governments.

3. In resolution 1062 (1996), the Security Council reiterated its concern that there had been no progress towards an overall settlement of the Cyprus problem, reiterated that the status quo was unacceptable, and called upon the parties to demonstrate concretely their commitment to an overall settlement. The Council also called upon the two leaders to work with the Secretary-General and with the many countries supporting his mission of good offices to break the current impasse by establishing common ground on which direct negotiations could be resumed. The Council further recognized that the decision of the European Union concerning the opening of accession negotiations with Cyprus was an important new development that should facilitate an overall settlement.

II. A REVIEW OF THE EFFORTS MADE SINCE JUNE 1996

4. In the course of the past six months, intensive efforts have been made to break the impasse and to create conditions for successful direct negotiations between the leaders of the Greek Cypriot and the Turkish Cypriot communities.

5. As envisaged in my last report, my new Special Representative, Mr. Han Sung-Joo, undertook an extensive familiarization mission during the last week in June and the first half of July. In Cyprus he had two extended meetings with each of the two leaders, as well as meetings with political party leaders, businessmen and trade unionists on both sides. He went on to visit Athens and Ankara, as well as the capitals of a number of interested Governments, notably London, Moscow, Paris and Washington, and Dublin and Brussels for meetings with the Presidency of the European Union (EU) and the European Commission respectively. On subsequent occasions, he visited Bonn, London and Paris.

6. He found that the situation in the area remained very much as described in my last report. The positions of the two leaders appeared far apart on a number of issues. The Greek Cypriot leader emphasized that in order to avoid yet another unproductive direct meeting, it was necessary to ensure that sufficient common ground existed between the two sides before direct talks began. He identified five key areas in which common ground had to be established: security, EU membership, territory, sovereignty and political equality. The Turkish Cypriot leader, for his part, reaffirmed his readiness to meet for direct talks within the parameters of an equal partnership and the 1960 Treaty of Guarantee. He opposed any change in the 1960 Treaty of Guarantee, including Turkey's right of unilateral intervention. He was also opposed to Cyprus joining the European Union before Turkey, which, he believed, would negate what he regarded as the foundation of an overall settlement, notably bizonality and the Treaty of Guarantee. It was thus clear that direct talks would not at that time yield positive results.

7. My Special Representative reported to me that his meetings with a broad cross-section of the two communities had revealed a plurality of views and opinions. He underlined the critical importance of support from Greece and Turkey if negotiations were to succeed. He saw the issue of the accession of Cyprus to the European Union as an important new factor. The decision by EU to begin accession negotiations with Cyprus six months after the conclusion of its Intergovernmental Conference had in effect established a time-frame of approximately 18 months for the achievement of an overall settlement. It was therefore important for all concerned to redouble their efforts. He told me that this assessment was shared by his interlocutors in the capitals he had visited.

8. My Special Representative's second visit to the area in mid-September was overshadowed by the incidents on 11 and 14 August and their aftermath, which had raised tensions on the island to a high level [*see S/1996/1016, paras. 2-11*]. His discussions with the leaders of the two communities therefore focused on ways of reducing the tension. To this end, he built upon the efforts of my Deputy Special Representative to encourage the two leaders to issue a joint statement which would make clear that the incidents did not reflect the true sentiments of the people of the two communities; that such incidents must never occur again; that they underscored the urgent need to resolve differences through negotiation; and that the leaders pledged themselves to redouble their efforts to cooperate with the Secretary-General and work tirelessly to reach an overall settlement. The Turkish Cypriot leader agreed to such a joint statement but the Greek Cypriot leader considered that, given the circumstances surrounding the incidents, a joint statement would not be appropriate. However, he subsequently issued a statement of his own that the incidents must not dissuade the parties from pursuing with increased energy efforts to find an overall settlement under the auspices of the Secretary-General and that they could not be interpreted to mean that the two communities cannot live together in peace and prosperity in their common home, Cyprus. He also called upon both communities to make every effort to defuse the existing tensions.

9. Throughout the period covered by the present report, my Deputy Special Representative continued his regular meetings with the leaders of the two communities in an effort to promote the conditions for direct talks to achieve an overall settlement; to address the serious problems resulting from the August incidents and subsequent ones which also resulted in fatalities; and to lay the basis for the discussions which are currently under way between the United Nations Peacekeeping Force in Cyprus (UNFICYP) and the military authorities on both sides on proposals for the reduction of tension along the ceasefire lines [*see S/1996/1016*]. The Deputy Special Representative also remained in close touch with representatives of Governments that have been actively supporting my mission of good offices.

10. The third visit to the area by my Special Representative took place in mid-December. In Cyprus, he held two separate meetings with each of the two leaders. In Athens and Ankara, he met with senior Foreign Ministry officials. The main purpose of this visit was to assess the situation on the eve of my preparation of the present report. He found that the gap in the positions of the two sides had not narrowed

and that each leader continued to express serious doubts about the true intentions of the other. This made it difficult to be optimistic about the prospects for direct talks. On the substance, the two leaders reiterated their well-known positions, as described in paragraph 6 above. The Greek Cypriot leader said that, in view of the campaign which would precede the presidential elections scheduled for February 1998, the window of opportunity for negotiations was likely to close by the autumn of 1997. My Special Representative reiterated to both leaders and to his interlocutors in Athens and Ankara the concern of the United Nations and the international community about the existing situation in Cyprus. He emphasized the urgent need for direct negotiations on an overall settlement and for intensified preparations for such negotiations to begin early in 1997, with the active support of Greece and Turkey.

11. In my last report I noted the growing international interest in the Cyprus problem, in particular among the permanent members of the Security Council and the members of the European Union. This has continued to intensify. During the period under review, senior officials from France, the EU Presidency (Ireland), the United Kingdom of Great Britain and Northern Ireland and the United States of America visited Cyprus, Greece and Turkey, in some cases several times. Their purpose was to help overcome the existing impasse by exploring possible ways of bringing the positions of the two sides closer together and to seek greater support from Greece and Turkey. The missions by the Special Representative of the EU Presidency focused in particular on a possible EU contribution to an overall settlement in the context of the EU's decision to initiate accession negotiations with Cyprus. Such a contribution would include explanation of the benefits which EU membership would bring to all Cypriots and would also address Turkish Cypriot concerns about its implications for an overall settlement of the Cyprus problem, particularly as regards bizonality, the Turkish guarantee and the relationship of Greece and Turkey with Cyprus. All the senior officials who undertook these missions recognized the importance of ensuring that the efforts of interested Governments are coordinated with those of the Secretary-General's mission of good offices. To this end, regular consultations have taken place between the United Nations and representatives of interested Governments in Cyprus, at United Nations Headquarters and elsewhere.

III. OBSERVATIONS

12. The Cyprus problem has been at an impasse for a considerable time. Since my last report, the situation has deteriorated seriously and has been marked by a level of violence unprecedented since 1974. Frustration that a settlement has proved elusive for so long runs deep within both communities. Unless the political leadership on both sides manifests the necessary determination to negotiate an overall settlement and this process is fully supported by Greece and Turkey, the present unstable situation will persist and even lead to greater dangers.

13. The developments of recent months and the military build-up in Cyprus have underscored what the Security Council has pointed out for so long, that the status quo in Cyprus is most unstable and is not tenable. The events of recent months are a warning. If the current situation is allowed to persist, the consequences will be to the detriment of both communities.

14. The apparent calm that has prevailed for some years has lulled political leaders and the people of both communities into a false sense of stability. Many continue to believe that the situation will remain stable until the underlying dispute is resolved. Beneath the surface, however, the situation in Cyprus is changing, in terms both of the demographic composition of the island and of the relationship of the two communities with each other and to the outside world. Either the two communities will take control of their destiny by reaching an overall settlement on the basis that has already been agreed, or forces beyond their control will fundamentally change the situation on the island.

15. As has often been pointed out before, the exercise of good offices by successive Secretaries-General has, over the years, generated the substantive elements necessary to reach an overall agreement, as well as the procedures for achieving that objective. I refer especially to the 1977 and 1979 high-level agreements in which the leaders of the two communities agreed on key principles of a solution, including the establishment of a bicommunal and bizonal federation whose independence, sovereignty and territorial integrity would be guaranteed. Other key principles are to be found in Security Council resolutions, in the Set of Ideas and in other ideas explored in recent years. Procedurally, it has become evident that an overall settlement can best be reached through mutual concessions in a comprehensive negotiating session which will continue as long as necessary to reach agreement.

16. As the Security Council recognized in resolution 1062 (1996), the decision of the European Union to open accession negotiations with Cyprus is an important new development that should facilitate an overall settlement. That decision and the timetable that flows from it provide an additional important reason for both sides to redouble their efforts. It is clearly in the vital interests of both communities to reach a solution before accession negotiations begin. It is widely believed that the accession by Cyprus to EU membership in a manner consistent with the agreed basis for an overall settlement would offer both communities the opportunity for enhanced prosperity and security.

17. An urgent effort is accordingly required in 1997 to bring about early direct talks between the two leaders, in the manner described above, to negotiate an overall agreement. Both leaders should clearly and publicly commit themselves to such a process.

18. To facilitate this objective, preparations for direct negotiations are being intensified by the Secretariat. The extensive material which already exists is being reviewed and, as appropriate, updated and expanded, and additional material prepared, so that the United Nations will be in a

position to help the leaders of the two communities reach common positions during their negotiations. In addition, more intensive contacts with the leaders of the two communities and with Greece and Turkey are planned for the new year, including longer visits to Cyprus and to the area by my Special Representative. I rely on continued support by interested Governments for these initiatives. I also call upon the Governments of Greece and Turkey, which have a special obligation to Cyprus, to become more active in support of the Secretary-General's mission of good offices.

19. The success of this effort will depend to an important extent on the creation of an atmosphere of confidence and reconciliation between the two communities. Both leaders must give tangible indications that they are seeking an overall settlement on the basis of *one* country and to ensure that their words and deeds are in harmony with that objective. Such a change in attitude cannot wait for a settlement; it must precede it and should be adopted without delay. The emphasis in their public statements and in their communications with each other must shift away from polemics and mutual accusations and towards their future relationship in a federal Cyprus. Messages of reconciliation and tolerance from both leaders and their communities are long overdue.

20. Both sides should also implement goodwill measures that give tangible indications of their good intentions and help create an atmosphere of confidence. Such measures could include the following: crossing with minimal formality by members of both communities at the Ledra Palace checkpoint (e.g., by only presenting identity cards); facilitating bicommunal contacts; cooperation and joint projects in areas of inter-communal concern such as the environment, water, health, education (including the elimination of biased and negative representations of each other) and the restoration of historic sites; youth and student exchanges; bicommunal sports events; elimination of provocative emblems and slogans; island-wide telephone communications; and bicommunal commercial activities and trade. I call on both leaders to take such measures.

21. Furthermore, it is important that the UNFICYP proposals for further unmanning, the prohibition of loaded weapons and a military code of conduct along the ceasefire lines be agreed to and implemented without delay.

22. The current situation offers the two communities, and the region, both a warning signal and an opportunity. The two leaders have a responsibility to their communities and to Cyprus as a whole to recognize the seriousness of the moment and to seize the opportunity it presents by agreeing to negotiate a comprehensive settlement on the basis of mutual concessions and to facilitate this process by conveying to each other in both words and deeds a message of reconciliation. In conclusion, I call upon both leaders to cooperate with my Special Representative and my Deputy Special Representative and with the Governments that support the Secretary-General's mission of good offices.

DOCUMENT S/1996/1063

Further report of the Secretary-General on the situation in the Great Lakes region of Africa

[*Original: English*]
[*20 December 1996*]

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 12 of resolution 1080 (1996) and of my letter of 12 December 1996 [*S/1996/1036*] with which I transmitted to the Security Council the report I had received earlier that day from Mr. Raymond Chrétien following his mission to the Great Lakes region as my Special Envoy. Its purpose is to update the Council on developments in that region since my report of 29 November 1996 [*S/1996/993*] and to inform the Council of the action which, after consultation with the Secretary-General elect, I propose to take in response to my Special Envoy's recommendations.

2. In examining my Special Envoy's report, I have been conscious that, while the humanitarian crisis may have eased somewhat, enormous challenges remain. Little progress has been made in easing international tensions within the region. Internal conflicts persist. The humanitarian crisis created by the various conflicts is itself far from being resolved. With the return to Rwanda of an estimated 560,000 refugees from eastern Zaire and more than 235,000 from the United Republic of Tanzania since 1 December, urgent attention must now be devoted to the social, economic and political integration of these returnees. So far they are reported to have been well received by the people of Rwanda and by the Rwandan Government. Meanwhile, in Zaire, the large number of Rwandan and Burundian refugees who moved further west into that country and the estimated 250,000 internally displaced persons of Zairian nationality, as well as some 500,000 other Zairians affected by the conflict, require immediate humanitarian assistance. United Nations agencies and non-governmental organizations (NGOs) have only limited access to these people. Another pressing concern is the future of the personnel of the former Rwandese Armed Forces (FAR) and the extremist militias (Interahamwe) connected with them, as well as their families and the bona fide refugees they may be keeping as hostages.

II. DEVELOPMENTS SINCE 26 NOVEMBER 1996

3. In Rwanda, tens of thousands of persons have been suddenly forced to find new housing, as they vacate houses owned by the returning refugees. No major conflict related to property issues has so far been reported, but the shortage

of housing remains a potential flashpoint. Given the existence of other vulnerable groups such as genocide survivors and old-caseload returnees who fled the country in 1959, it is imperative that the international community provide vigorous support to the efforts of the Government of Rwanda to handle the large-scale influx and take urgent steps to improve the judicial system. As I have already indicated to the Council [*S/1996/993, para. 23*], an increase in the United Nations Human Rights Field Operation is also imperative.

4. As regards the situation in Zaire, a recent development was the return, on 17 December 1996, of President Mobutu. On 18 December, he signed a decree appointing General Mahele as Chief of Staff of the Zairian Army. The following day he met Zaire's political leaders to discuss the situation in the eastern part of the country and the need to establish a crisis Government.

5. Zaire continues to consider itself the victim of aggression on the part of Rwanda, Burundi and Uganda whose regular armies, it alleges, have violated its territorial integrity and its recognized international borders. Rwanda and Burundi, for their part, deny Zaire's allegations and do not consider themselves at war with that country. As regards Uganda, the Zairian Government, in a communiqué to myself and the members of the Security Council dated 1 December 1996 [*S/1996/994, annex*], has accused Uganda of introducing troops armed with tanks and armoured vehicles into Zairian territory in support of the Rwandan Patriotic Army (RPA) and of engaging the Zairian armed forces in combat near the town of Beni close to the border between the two countries. The Government of Uganda has categorically refuted these allegations and, in a communiqué to the Council dated 9 December 1996 [*S/1996/1038, annex*], stated that the Uganda People's Defence Forces (UPDF) have at no time crossed the border into Zairian territory and that, on the contrary, Uganda had been invaded on 13 November 1996 by forces originating from inside Zairian territory. According to the Ugandan Government, these forces occupied towns within Uganda and were then repulsed by UPDF which, in hot pursuit, forced them to retreat into Zaire.

6. The United Nations, which has no military observers in the region, is not in a position to verify independently any of these allegations or counter-allegations. For the same reason, I am not in a position to describe in any detail developments in the military situation in eastern Zaire since the Banyamulenge seized a large tract of territory in North Kivu and South Kivu in October and November of this year.

7. On 10 December 1996, the United Nations High Commissioner for Human Rights opened a human rights office in Kinshasa. Two experts will follow the human rights situation in the country and advise the authorities on matters relating to the promotion and protection of human rights.

8. In Burundi, hostilities between the Conseil national pour la défense de la démocratie (CNDD) and the army continue, particularly in the north of the country, and have already led to large-scale displacement, including the flight of Hutu refugees into the United Republic of Tanzania. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), 78,000 Burundian refugees are now in camps in the United Republic, with negative consequences for the already strained relations between the two neighbours. There are approximately half a million internally displaced persons in Burundi, and only a modest level of humanitarian assistance is being provided to them. In these difficult circumstances, the humanitarian agencies have asked the Regional Sanctions Coordination Committee in Nairobi for exemptions needed to ensure the least possible hindrance to their work by the regional sanctions imposed on Burundi since 31 July 1996.

9. On the diplomatic front, the countries of the region have intensified their efforts to address the complex of problems confronting them, as demonstrated by the series of summits recently held at Brazzaville, Ouagadougou and Nairobi. However, none of these summits has been attended by leaders of all the States concerned and relations within the region and, to an increasing extent, between regions remain strained.

III. The Multinational Force

10. On 16 December 1996, I transmitted to the Security Council a letter dated 13 December from the Permanent Representative of Canada to the United Nations [*S/1996/1046, annex*] which stated that the Government of Canada had concluded that "with the return to Rwanda of the majority of refugees, the dispersal of the remaining number over large areas of eastern Zaire and the growing access of international humanitarian agencies to the remaining refugees, displaced persons and civilians at risk, the multinational force at the current authorized force level ha[d] very little utility". Canada would therefore withdraw its personnel from the Great Lakes region by 31 December 1996 and recommended that the Security Council terminate the mandate of the force, with effect from the same date.

11. In my report of 29 November 1996 [*S/1996/993, para. 41*], I observed that, as of that date, the nature, strength, composition, mandate and modus operandi of the multinational force envisaged under resolutions 1078 (1996) and 1080 (1996) were still under consideration by the Member States concerned, and that as long as no final decision had been taken on all those matters, it would not be possible to present to the Security Council a detailed concept of operations for the proposed follow-on operation. Those considerations apply with still greater force now that the Canadian Government has taken the decisions described in the letter of its Permanent Representative referred to above. Under the circumstances, therefore, I am not in a position to recommend to the Council the establishment of a United Nations operation to follow on from the multinational force.

IV. Future role of the United Nations in the Great Lakes region

12. It is evident from the present summary of the last few weeks' developments that major problems persist in the Great Lakes region, notwithstanding the welcome repatriation of a

large part of the Rwandan refugees who were previously in the United Republic of Tanzania and Zaire. These problems include: intermittent hostilities across Zaire's borders with its eastern neighbours; internal conflict within Zaire; the future of the ex-FAR, the Interahamwe and their families who remain in Zaire, as well as in the United Republic; the unresolved conflict in Burundi; the prodigious demands made upon the Government of Rwanda by the massive return of refugees; and the continuing needs of hundreds of thousands of refugees and displaced persons who remain scattered in the region, particularly in Zaire.

13. These problems must continue to command the attention of the international community. The United Nations system is already devoting a considerable effort to them, especially in the humanitarian and developmental fields. Since November, a Regional Humanitarian Coordinator has had overall responsibility for the coordination of United Nations humanitarian work in the region. His main task is to ensure the coherence of the policies of all humanitarian partners there, to monitor the overall implementation of the programme in the region and to ensure consolidated inter-agency efforts to mobilize resources. A United Nations Consolidated Inter-Agency Flash Appeal was launched for the period from 1 November 1996 to 31 January 1997, with total requirements amounting to US$ 259 million. As of 18 December 1996, $112 million, amounting to 43 per cent of the total, had been contributed by the international community. Preparations are under way for a full-fledged Consolidated Appeal to meet humanitarian requirements for the remainder of 1997.

14. The United Nations is also involved in political activities, at the request of the Governments concerned, notably through the efforts of the various Special Envoys whom I have sent to the region in recent months, through the good offices of my Special Representative in Burundi, through the Human Rights Field Operations in Burundi and in Rwanda and the new office of the United Nations Human Rights Centre in Zaire, and through the electoral assistance mission in Zaire, which has now been in operation for nearly three months and which has been welcomed by the Government of Zaire and is receiving important support from that Government and financial assistance from interested Member States.

15. In these circumstances, I believe that there is a case for strengthening the capacity of the United Nations to perform three functions: the provision of good offices to those involved in the various conflicts in the region; the mobilization of international interest in, and support for, an integrated effort to address the region's manifold problems; and coordination of the work of the United Nations system as a whole. Such a strengthening of the political role of the United Nations would, of course, need to be undertaken in close consultation with the Organization of African Unity (OAU) and with the agreement of the Governments concerned.

16. I am inclined to think that such a role would require the presence in the region of a Special Representative of the Secretary-General who, as Mr. Chrétien has emphasized, would need to be endowed with adequate staff and logistic support, especially in the aviation and telecommunications fields. This would be option (*a*) in paragraph 33 of Mr. Chrétien's report [*S/1996/1036, annex*].

17. However, I believe that, given the fluid situation which persists in the region, it would be somewhat premature to take a decision to that effect in the immediate future. I therefore propose, after consulting with the Secretary-General elect, to adopt something close to Mr. Chrétien's option as an interim measure. This would involve sending a Special Envoy of senior rank to the region, to interested capitals outside the region and to the headquarters of OAU at regular intervals. The Special Envoy's principal function would be to confirm, to the satisfaction of the Secretary-General, that the option of appointing a resident Special Representative was still welcomed in the region, and would be assured sufficient support outside it, for that option to be a viable one. In addition to this exploratory mandate, the Special Envoy would also perform, to the extent possible, the kind of good offices, mobilization and coordination functions which I envisage for a resident Special Representative, as well as advising the Secretary-General on the future of United Nations technical assistance to the electoral process in Zaire.

18. It would be essential for the Special Envoy to be able to travel quickly and at ease in the region and to neighbouring parts of Africa. He or she too would therefore need adequate logistic support, as well as the necessary staff, and I would recommend that this option be proceeded with only if such support was assured.

19. Finally, it would be desirable for the Special Envoy to make his or her first visit to the region as early as possible in the New Year.

DOCUMENT S/1996/1067

Progress report of the Secretary-General on standby arrangements for peacekeeping

[*Original: English*]
[*24 December 1996*]

I. INTRODUCTION

1. The present report is submitted in pursuance of the Security Council's request that I report, at least once a year, on the progress made on standby arrangements with Member States concerning their possible contribution to United Nations peacekeeping operations [*S/PRST/1994/22*]. It covers developments since the submission of my previous report on the subject on 10 November 1995 [*S/1995/943*].

II. CONCEPT

2. The concept of standby arrangements for peacekeeping operations remains as described in detail in my previous report. In brief, its purpose is to have a precise understanding of the forces and other capabilities a Member State will have available at an agreed state of readiness, should it agree to contribute to a peacekeeping operation. Such resources may include military units, individual civilian and military personnel (e.g., police, military observers), specialized services, equipment and other capabilities. The key element in the system of standby arrangements is the exchange of detailed information to facilitate planning and preparation for both the participating Member States and the United Nations.

III. CURRENT STATUS

3. I am pleased to report that further progress has been made since my previous report. Last year, I reported that 47 Member States had confirmed their willingness to provide standby resources totalling some 55,000 personnel that could, in principle, be called upon. As of 30 November 1996, 62 Member States have now made such a confirmation, involving a total of some 80,000 personnel.

4. The participating Member States are: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chad, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Ghana, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Jordan, Kazakstan, Kenya, Kyrgyzstan, Malaysia, Myanmar, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Zambia and Zimbabwe. Five Member States, Austria, Denmark, Ghana, Jordan and Malaysia, have formalized their standby contributions through a memorandum of understanding.

5. The resources involved are depicted in annex I to the present report. The total of 80,000 includes elements of different sizes, varying from infantry battalions to individual military observers, and cover the whole range of components envisaged for peacekeeping operations. The bulk of resources consist of infantry; there continues to be a need for additional resources to complement that number of infantry with the necessary logistic support, especially in the areas of sealift/airlift, communications, multi-role logistics, transport, health services, engineering, mine-clearing and transport utility aircraft. There is also a need for more civilian police personnel. The Secretariat will continue its discussions to seek the broadest possible participation by Member States as well as to arrive at a proper mix of troops and supporting units.

6. Standby arrangements also cover civilian resources provided by Governments for peacekeeping operations. Little progress has been achieved so far in this field. However, the Secretariat has recently observed a growing interest of Governments in contributing civilian resources and services which, in some cases, substitute for military resources. One clear example is the use of civilian organizations providing medical support in peacekeeping operations.

7. The Secretariat continued to expand its database with detailed information from the participating Governments. Such information includes, first of all, information on the specific capabilities of the resources covered by the standby arrangements. This information is needed at an early stage of planning for a peacekeeping operation to establish which units could be called upon to perform the expected tasks. At later stages of planning, the Secretariat will require more detailed information, such as the response time for each individual unit, any political or material preconditions, period of self-sufficiency, level of equipment, probable port of departure, total surface/volume/weight, number and types of vehicles, number of containers, information on particularly large or heavy items, and information on dangerous cargo (e.g., ammunition), and any specific handling instructions. This information is required to help the Secretariat to establish the requirements of peacekeeping forces and of individual units, in planning sea/airlift provisions and addressing any deficiencies in the composition and equipment of peacekeeping units. Of the 62 participating Member States, 41 have provided information on specific capabilities. The information available under the standby arrangements proved most helpful in the planning for and subsequent deployment to peacekeeping operations in Haiti, Angola and the former Yugoslavia, in particular the United Nations Transitional Administration in Eastern Slavonia, Baranja, and Western Sirmium (UNTAES).

IV. RAPID DEPLOYMENT

8. An important objective of the standby arrangements system is to tackle the problem of the often long period between a decision by the Security Council to establish an operation and the arrival of troops and equipment in the mission area. A key element in this regard is response time, defined as the period between the time the request to provide resources is made and the time these resources are ready for airlift/sealift to the mission area.

9. The Secretariat has registered response times according to the declared individual capacities of Member States. The declared response times for confirmed standby resources vary from 7 days to more than 90 days. Some 40 per cent of the standby resources have a response time of 30 days or less; 16 per cent have a response time of 60 days; 3 per cent have a response time of 90 days; the remaining 41 per cent have a response time of over 90 days. The grouping of resources with their response time is shown in annex II to the present report.

10. This implies that a significant proportion of the resources in the standby arrangements is at a high level of readiness. However, this in itself does not give the United Nations a capacity for rapid deployment. It should be borne in mind that the speed of deployment is contingent on several other factors, including political approval and support at the national level, availability of airlift/sealift, a capacity for mission management and logistic sustainment in the field, as well as the conclusion of the necessary administrative procedures.

11. In this regard, I draw attention to the progress made in the reform of the procedures for determining reimbursement to Member States for contingent-owned equipment, in particular, the elaboration of a contribution agreement for the provision of personnel, equipment and services in support of peacekeeping operations.[11] The introduction of these new procedures, which include arrangements for the self-sustainment of troops, is expected to result in a decrease of the level of logistic support to be provided by the United Nations. Currently, the United Nations requires units to deploy in the mission with the means to sustain themselves for a minimum period of 60 days, in order to allow the United Nations adequate time to establish its logistic support capacity.

12. The above-mentioned contribution agreement should, in principle, be signed before the deployment of the resources to the mission area. In this connection, I believe that a significant amount of time could be saved if preliminary contribution agreements were to be drawn up in advance between the Secretariat and participating Member States on the basis of information made available under the standby arrangements system. These preliminary agreements could then be finalized quickly before deployment.

13. An important effort by the United Nations to facilitate rapid deployment is the development of a rapidly deployable mission headquarters (RDMHQ). In the past, military contingents and other components arrived in the mission area and operated for extended periods without a proper mission headquarters. To overcome this problem, and in keeping with the recommendation of the General Assembly contained in resolution 50/30 of 6 December 1995, I have decided to establish within the Secretariat the skeleton of a RDMHQ. In brief, this RDMHQ would enable the United Nations to deploy quickly a cohesive team of essential civilian and military personnel to the mission area. This would ensure that the deployment and initial phases of a peacekeeping operation receive the necessary management and guidance. The RDMHQ would consist of earmarked personnel currently in the Secretariat, personnel nominated by Governments who would remain in their home country until deployment, and a small core of personnel for functions which will require full-time attention. The RDMHQ could remain in the mission area for the first three to six months, during which time it would be replaced, in a gradual fashion, by a mission headquarters staffed by personnel recruited for that purpose. It is hoped that the RDMHQ will be functional in early 1997.

V. EQUIPMENT

14. In principle, all units made available under the standby arrangements should be fully equipped. This, however, may not be achievable for all contributing countries. It is therefore important to provide information on the level and status of equipment at the time a standby arrangement is agreed upon. This would enable the Secretariat to identify any gaps and to seek solutions to fill them as early as possible.

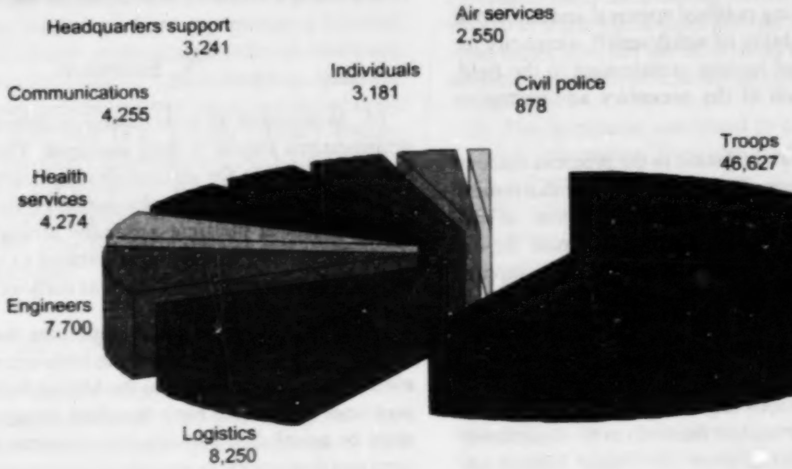
15. In this regard, I should emphasize that the Secretariat has only a very limited capacity to maintain equipment made available by Governments to the United Nations and to train personnel in its use. I have therefore suggested that partnerships be established between Governments that need equipment and those ready to provide it. Such bilateral partnerships can be made part of a standby arrangement with either one or both Governments. Preferably, such partnerships should be concluded directly between Governments and include such aspects as training and maintenance. The new procedures for determining reimbursement for contingent-owned equipment allow Member States to take the lead in providing support to contingents from another country, which support is subject to reimbursement by the United Nations under pre-established conditions and rates. Alternatively, the Secretariat may identify, from the resources in its database, a possible match of personnel with equipment and suggest to Governments that they set up a partnership.

VI. FINAL REMARKS

16. There has been encouraging progress in the number of Member States participating in the standby arrangements system. However, the need remains to broaden the geographical base of available resources as well as to achieve a proper mix of troops and supporting units. There has also been progress, albeit modest, towards a rapid deployment capability. I welcome, in particular, the efforts by Member States to increase the military readiness of troops earmarked for peacekeeping duties. This said, I should like to underscore that rapid deployment is conditional on several other factors, highlighted in the report, deserving of equal attention. The Secretariat, for its part, will continue its dialogue with Member States to address these issues.

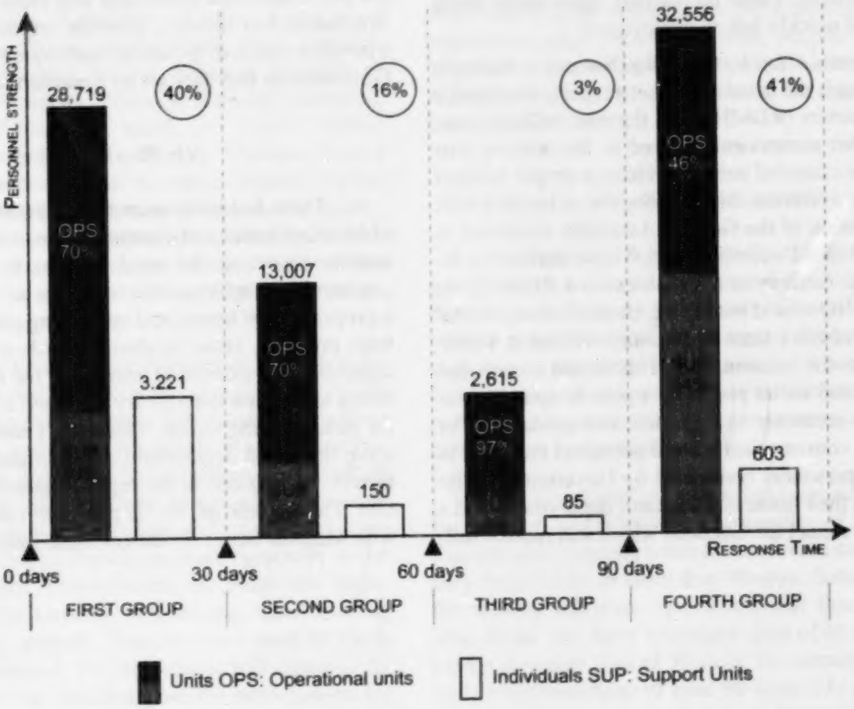
ANNEX I

Standby arrangements for peacekeeping resources pool (breakdown by functions)



ANNEX II

Grouping of standby arrangements for peacekeeping resources pool (by response time)



DOCUMENT S/1996/1075

Report of the Secretary-General pursuant to Security Council resolution 1066 (1996)

[Original: English]
[31 December 1996]

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 1066 (1996) of 15 July 1996, in which the Council requested that a report be submitted for its early consideration on the situation in the Prevlaka peninsula as well as on the progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences on this issue.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (UNMOs). The current mandate expires on 15 January 1997. The mission is commanded by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya), who succeeded Colonel Göran Gunnarsson (Sweden) on 26 November 1996.

3. In accordance with resolution 1066 (1996), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula. It carries out daily foot and vehicle patrols on both sides of the border between the Republic of Croatia and the Federal Republic of Yugoslavia, except when prevented from doing so by restrictions of movement imposed by one party or the other. The Chief Military Observer and his Deputy hold meetings in Zagreb, Belgrade and Podgorica and with the local authorities in the mission area in order to reduce tension, improve safety and security, and promote confidence between the parties. During the reporting period, cooperation between UNMOP and the multinational Implementation Force (IFOR) was established through regular meetings.

II. THE SITUATION IN THE PREVLAKA PENINSULA

4. Since my last report, of 27 June and 3 July 1996 [*S/1996/502 and Add.1*], the situation in the Prevlaka area has been generally stable, but recent events have raised tensions. During the mandate period the Croatian authorities allowed civilians access to the Blue Zone close to the Prevlaka compound. This prompted continuous patrolling by Yugoslav naval vessels at the entrance to Boka Kotorska bay. Subsequent joint air and naval exercises held by the Yugoslav side in the bay further increased tension. Both parties tend to interpret such actions as deliberate provocations, which justify a strong reaction. The Croatian authorities have recently alleged violations of their airspace by Yugoslav military aircraft. UNMOP immediately defused the situation by active contact with both parties. Such military activities are unhelpful and, if unchecked, could develop into more dangerous incidents.

5. During the course of the present mandate period, the parties have shown little willingness to adopt the practical options proposed by UNMOP in May 1996 to reduce tensions and improve safety and security in the area. Despite the encouragement contained in Security Council resolution 1066 (1996) and the inquiries made by UNMOP in meetings with both sides, neither party has yet taken a unilateral initiative to implement these proposals fully. Consequently, there has been no change in the violations in the demilitarized zone as described in my previous report.

6. Continuing violations within the Blue Zone persist. They consist of Croatian fortified positions manned by special police and a Yugoslav checkpoint. The ability of UNMOP to fulfil its mission is further restricted by the random denial of entry into some Croatian positions and by the continued presence of a minefield blocking a road. This minefield poses a threat to UNMOs who patrol in the area.

7. The situation in the remainder of the demilitarized zone, the Yellow Zone, also remains unchanged. Croatian special police continue to occupy field defence positions along the international border where Yugoslav military and police are also deployed. Both parties impose restrictions on UNMOP's freedom of movement and insist on joint patrols in the northern part of the demilitarized zone. Minefields laid adjacent to patrol routes in the Yellow Zone are still a hazard to UNMOs.

8. In the current conditions of restricted freedom of movement, the present strength of UNMOP is sufficient to implement its mandate. UNMOP is conducting negotiations with the parties for increased freedom of movement and, if they succeed, a modest increase in the number of UNMOs will be necessary.

III. PROGRESS TOWARDS A SETTLEMENT

9. The Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, signed on 23 August 1996, fulfils an essential precondition for the achievement of a peaceful settlement of the Prevlaka issue. By that Agreement, the parties are committed to resolve the issue by negotiations in the spirit of the Charter of the United Nations and good-neighbourly relations.

10. However, the two Governments hold different interpretations about what the Agreement on Normalization defines as a "disputed issue", in addition to their different understandings of the security regime established by the United Nations. The Republic of Croatia sees the Prevlaka issue as one of security, while the Federal Republic of Yugoslavia considers it to be a question of territory. The Federal Republic

of Yugoslavia has indicated that it wants UNMOP to remain until a settlement is agreed, while Croatia is of the view that respect for the security regime established during the period of United Nations monitoring does not necessarily require the continued presence of United Nations monitors.

IV. OBSERVATIONS

11. The prospects for a peaceful settlement of the Prevlaka issue appear to have improved with the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia. Despite divergent public pronouncements by the two parties, I am optimistic that such a settlement can be attained. Given the comparative stability that UNMOP has ensured in the area, the parties must now proceed to negotiate a settlement.

12. Prevlaka remains a stable area. However, as recent events have shown, it is also a tense area and the potential for a military confrontation still exists. The continued violations and the lack of real progress on the adoption of the options presented by UNMOP are thus cause for concern. UNMOP is seeking a reduction in military and police deployment in the area and the elimination of existing violations. This should improve the climate for negotiations on a final settlement.

13. In the circumstances, I believe that the continued presence of UNMOP is indispensable if the full benefits of the Agreement on Normalization of Relations are to be realized in the Prevlaka area. I therefore recommend a further six-month extension of the mandate of UNMOP to 15 July 1997.

14. In conclusion, I wish to extend my sincere appreciation to Colonel Gõran Gunnarsson for his dedicated efforts as the first Chief Military Observer for UNMOP. I would also like to thank the observers and staff of UNMOP who have served so diligently over the last year.

NOTES

[1] A/51/191/Add.1.

[2] A/51/543.

[3] A/50/908.

[4] A/50/908/Add.1.

[5] A/51/689.

[6] A/50/881.

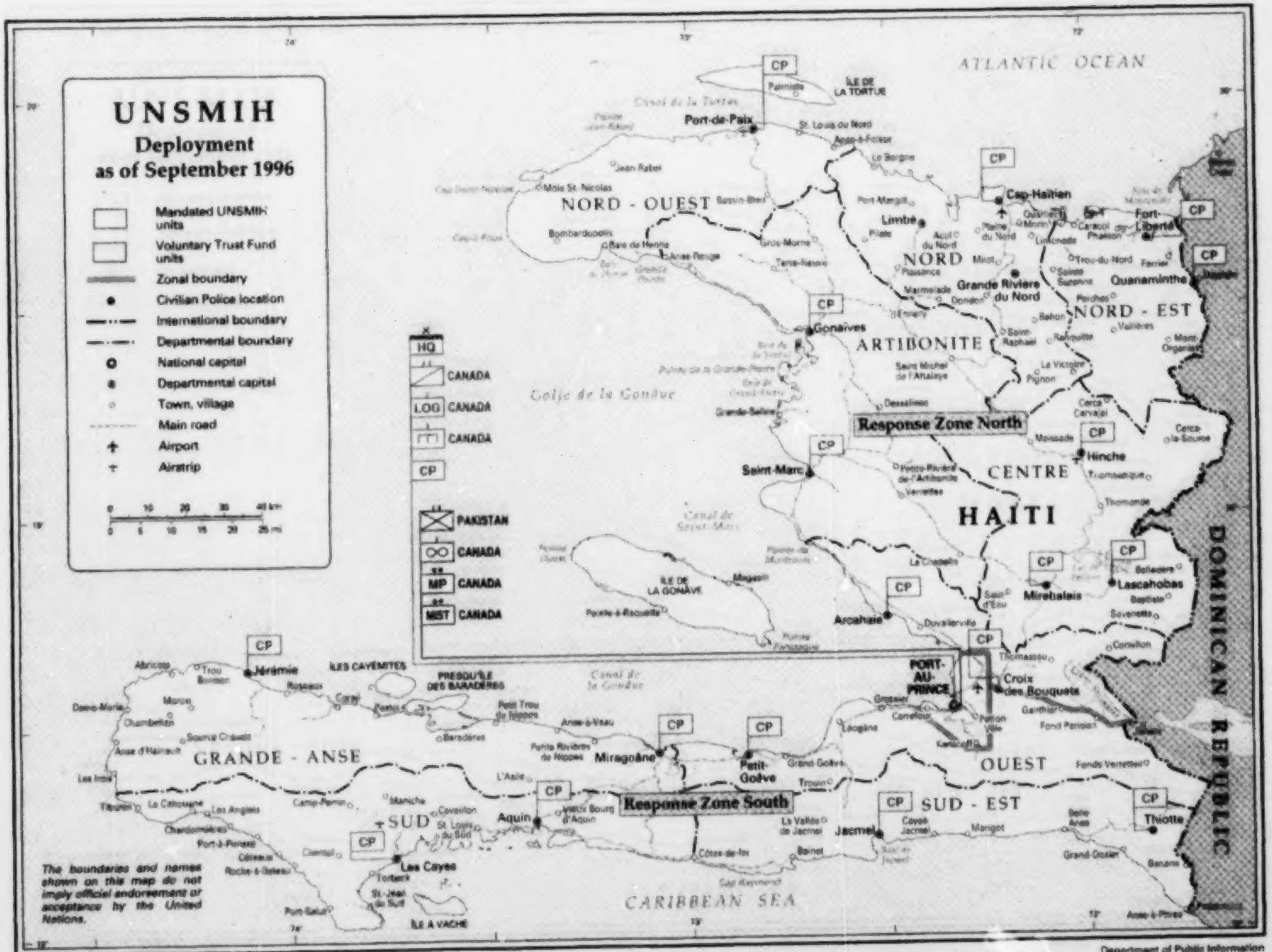
[7] A/51/338, paras. 31-39.

[8] A/50/1006

[9] A/51/494/Add.1 and 2.

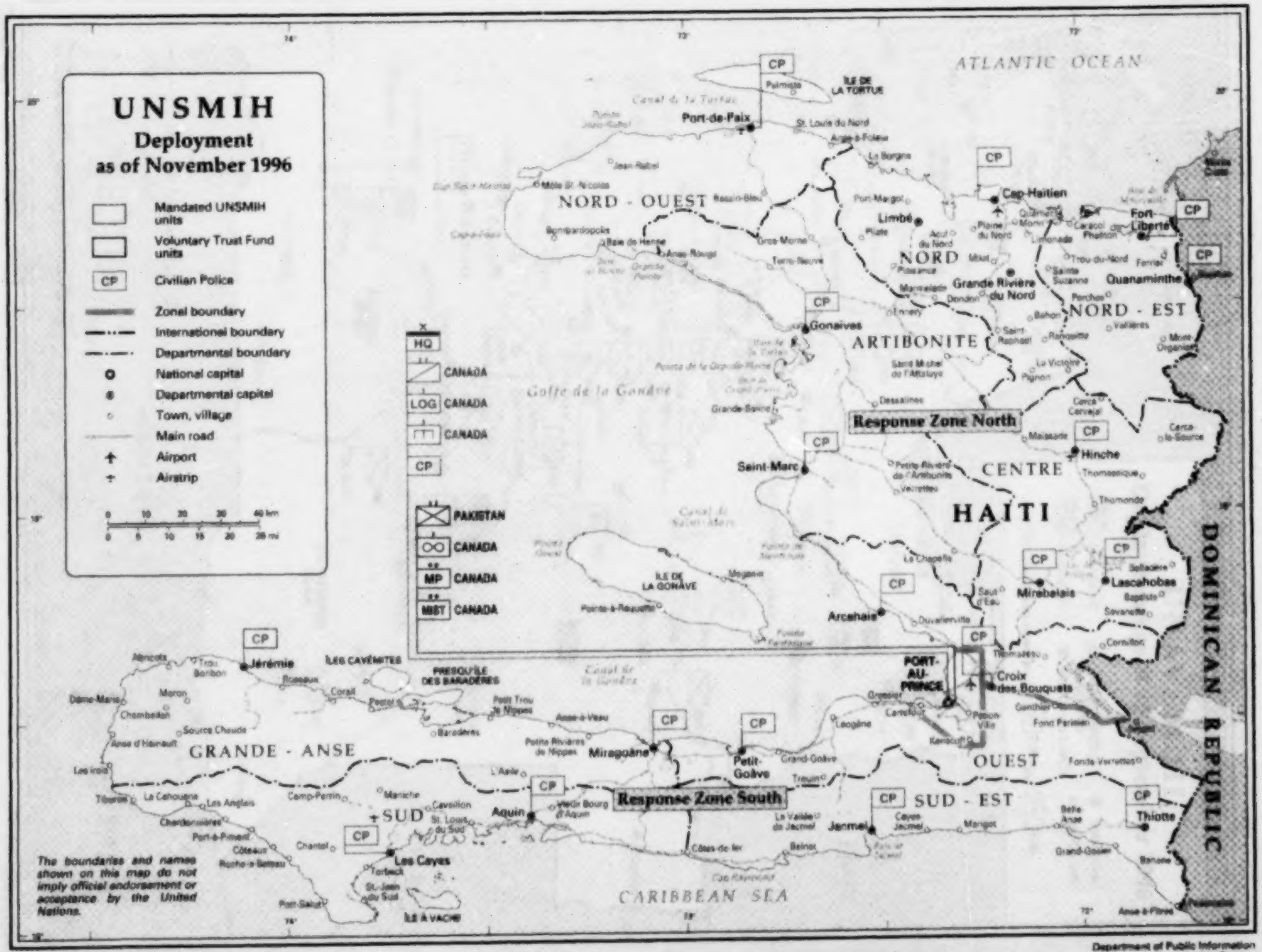
[10] A/50/956, annex.

[11] A/50/995, annex.


UNSMIH
Deployment
as of September 1996
Mandated UNSMIH units
Voluntary Trust Fund units
Zonal boundary
Civilian Police location
International boundary
Departmental boundary
National capital
Departmental capital
Town, village
Main road
Airport
Airstrip
0 10 20 30 40 km
0 5 10 15 20 25 mi
HQ CANADA
LOG CANADA
CANADA
CP
PAKISTAN
CANADA
MP CANADA
MIST CANADA
ATLANTIC OCEAN
CARIBBEAN SEA
DOMINICAN REPUBLIC
HAITI
NORD - OUEST
NORD
NORD - EST
ARTIBONITE
CENTRE
OUEST
SUD - EST
SUD
GRANDE - ANSE
Response Zone North
Response Zone South
ÎLE DE LA TORTUE
ÎLE DE LA GONÂVE
ÎLES CAYÉMITES
PRESQU'ÎLE DES BARADÈRES
ÎLE À VACHE
Golfe de la Gonâve
Canal de la Tortue
Canal de Saint-Marc
Canal de la Gonâve
PORT-AU-PRINCE
Port-de-Paix
Cap-Haïtien
Fort-Liberté
Ouanaminthe
Limbé
Grande Rivière du Nord
Gonaïves
Saint-Marc
Hinche
Mirebalais
Lascahobas
Arcahaie
Croix des Bouquets
Jérémie
Miragoâne
Petit-Goâve
Aquin
Les Cayes
Jacmel
Thiotte
CP
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.

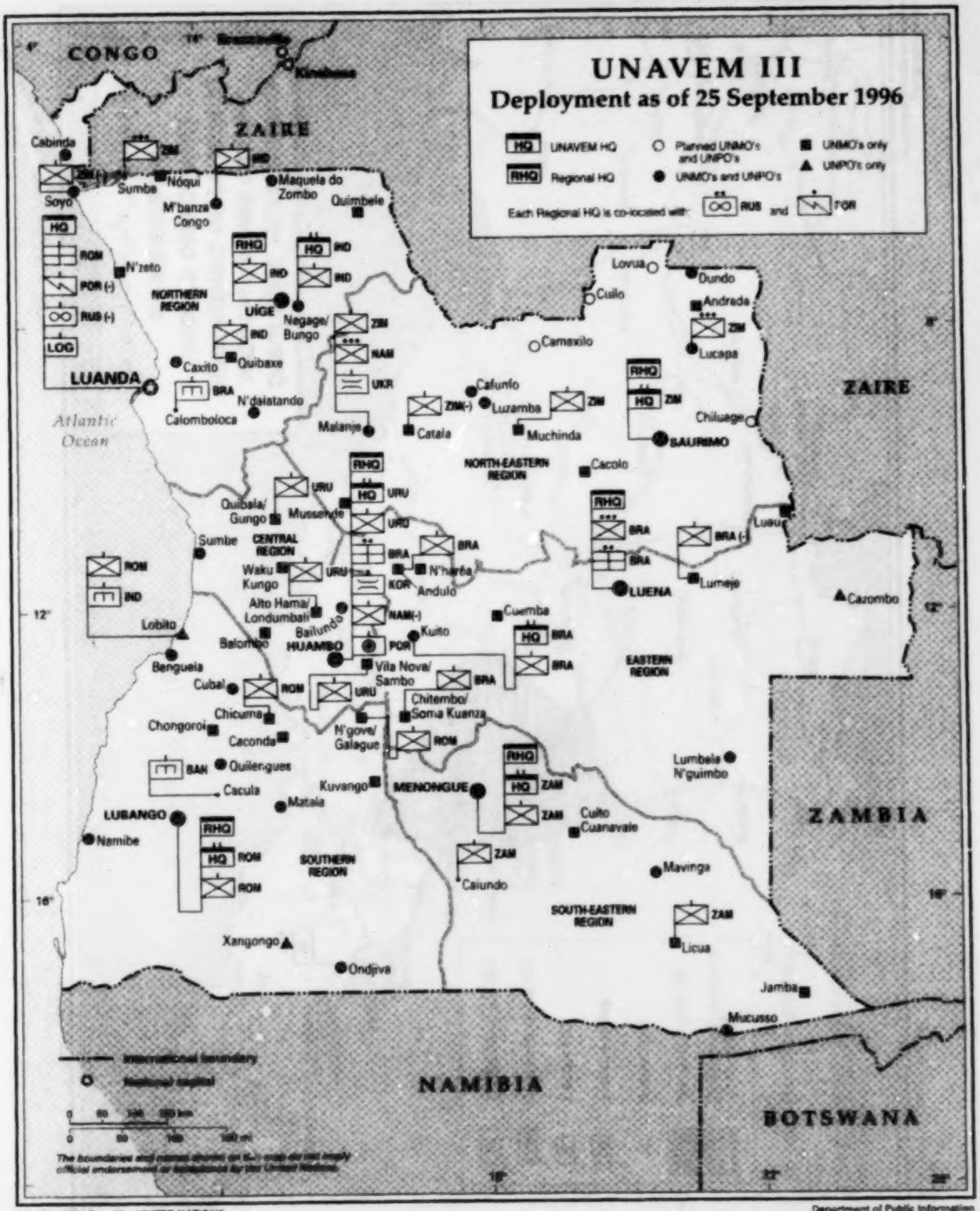
Map No. 3854 UNITED NATIONS
September 1996

Department of Public Information
Cartographic Section


UNSMIH
Deployment
as of November 1996
Mandated UNSMIH units
Voluntary Trust Fund units
CP Civilian Police
Zonal boundary
International boundary
Departmental boundary
National capital
Departmental capital
Town, village
Main road
Airport
Airstrip
0 10 20 30 40 km
0 5 10 15 20 25 mi
HQ
CANADA
LOG CANADA
CANADA
CP
PAKISTAN
CANADA
MP CANADA
MIST CANADA
ATLANTIC OCEAN
CARIBBEAN SEA
DOMINICAN REPUBLIC
HAITI
NORD - OUEST
NORD
NORD - EST
ARTIBONITE
CENTRE
OUEST
SUD - EST
SUD
GRANDE - ANSE
Response Zone North
Response Zone South
PORT-AU-PRINCE
Port-de-Paix
Cap-Haïtien
Fort-Liberté
Ouanaminthe
Gonaïves
Saint-Marc
Hinche
Mirebalais
Lascahobas
Arcahaie
Croix des Bouquets
Miragoâne
Petit-Goâve
Jacmel
Thiotte
Aquin
Les Cayes
Jérémie
Limbé
Grande Rivière du Nord
ÎLE DE LA TORTUE
ÎLE DE LA GONÂVE
ÎLE À VACHE
ÎLES CAYÉMITES
PRESQU'ÎLE DES BARADÈRES
Golfe de la Gonâve
Canal de la Tortue
Canal de Saint-Marc
Canal de la Gonâve
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.

Map No. 3864 Rev. 1 UNITED NATIONS
October 1996

Department of Public Information
Cartographic Section

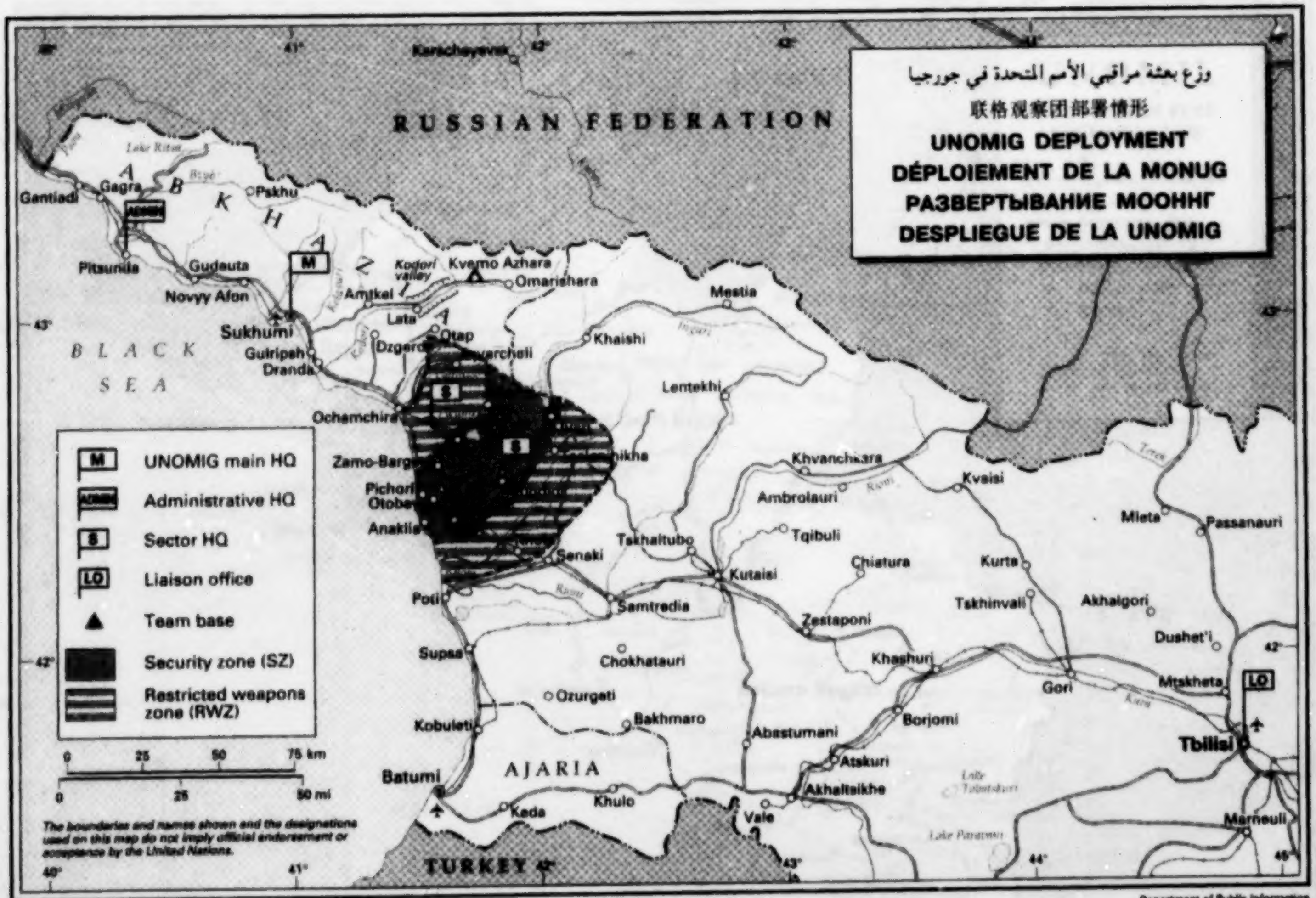


UNAVEM III
Deployment as of 25 September 1996

HQ UNAVEM HQ
RHQ Regional HQ
○ Planned UNMO's and UNPO's
● UNMO's and UNPO's
■ UNMO's only
▲ UNPO's only
Each Regional HQ is co-located with: RUS and FOR
CONGO
ZAIRE
ZAMBIA
NAMIBIA
BOTSWANA
Atlantic Ocean
Brazzaville
Kinshasa
Cabinda
Soyo
Sumbe
Nóqui
M'banza Congo
Maquela do Zombo
Quimbele
N'zeto
NORTHERN REGION
Uíge
Negage/Bungo
LUANDA
Caxito
Quibaxe
N'dalatando
Calomboloca
Malanje
Lovua
Cuilo
Camaxilo
Dundo
Andrada
Lucapa
Cafunfo
Luzamba
Catala
Muchinda
Chiluage
SAURIMO
NORTH-EASTERN REGION
Cacolo
Quibala/Gungo
Mussende
CENTRAL REGION
Sumbe
Waku Kungo
N'harêa
Andulo
Alto Hama/Londumbali
Bailundo
Balombo
HUAMBO
Kuito
Vila Nova/Sambo
Cuemba
Luau
LUENA
Lumeje
Cazombo
EASTERN REGION
Lobito
Benguela
Cubal
Chicuma
Chongoroi
Caconda
Quilengues
Cacula
N'gove/Galangue
Chitembo/Soma Kuanza
Kuvango
MENONGUE
Matala
LUBANGO
Namibe
SOUTHERN REGION
Cuito Cuanavale
Caiundo
Lumbala N'guimbo
Mavinga
SOUTH-EASTERN REGION
Licua
Xangongo
Ondjiva
Jamba
Mucusso
ZIM
IND
ROM
POR (-)
RUS (-)
LOG
BRA
URU
NAM
UKR
KOR
NAM(-)
ZIM(-)
BRA (-)
BAN
ZAM
International boundary
National capital
0 50 100 150 km
0 50 100 mi
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
4°
14°
8°
12°
16°
18°
22°
24°

Map No. 3881 Rev. 13 UNITED NATIONS
September 1996

Department of Public Information
Cartographic Section



وزع بعثة مراقبي الأمم المتحدة في جورجيا
联格观察团部署情形
UNOMIG DEPLOYMENT
DÉPLOIEMENT DE LA MONUG
РАЗВЕРТЫВАНИЕ МООНН Г
DESPLIEGUE DE LA UNOMIG

RUSSIAN FEDERATION
BLACK SEA
ABKHAZIA
AJARIA
TURKEY
Karachayevsk
Gantiadi
Gagra
Lake Ritsa
Bzyb
Pskhu
Pitsunda
Gudauta
Novyy Afon
Sukhumi
Gulripsh
Dranda
Kodori
Kodori valley
Kvemo Azhara
Omarishara
Amtkel
Lata
Otap
Dzgerda
Tkvarcheli
Ochamchira
Zamo-Barga
Pichori
Otobe
Anaklia
Mestia
Inguri
Khaishi
Lentekhi
Zugdidi
Tsalenjikha
Khvanchkara
Rioni
Ambrolauri
Kvaisi
Terek
Mleta
Passanauri
Tqibuli
Tskhaltubo
Kutaisi
Chiatura
Kurta
Tskhinvali
Akhalgori
Dushet'i
Senaki
Poti
Samtredia
Zestaponi
Khashuri
Gori
Mtskheta
Kura
Supsa
Chokhatauri
Ozurgeti
Kobuleti
Bakhmaro
Abastumani
Borjomi
Tbilisi
Batumi
Atskuri
Akhaltsikhe
Lake Tabatskuri
Keda
Khulo
Vale
Lake Paravani
Marneuli
40°
41°
42°
43°
44°
45°
M UNOMIG main HQ
ADMIN Administrative HQ
S Sector HQ
LO Liaison office
▲ Team base
■ Security zone (SZ)
▤ Restricted weapons zone (RWZ)
0 25 50 75 km
0 25 50 mi

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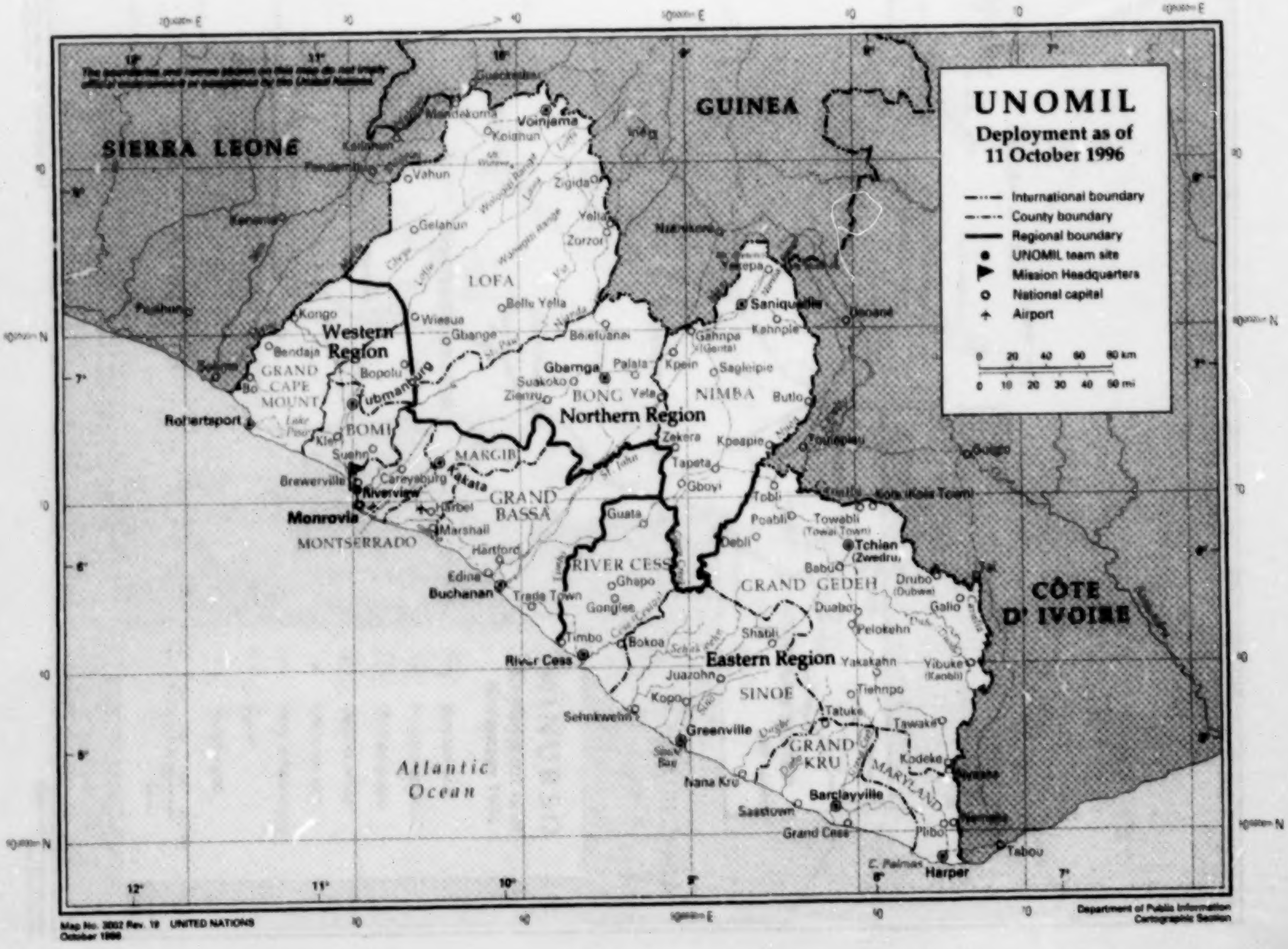
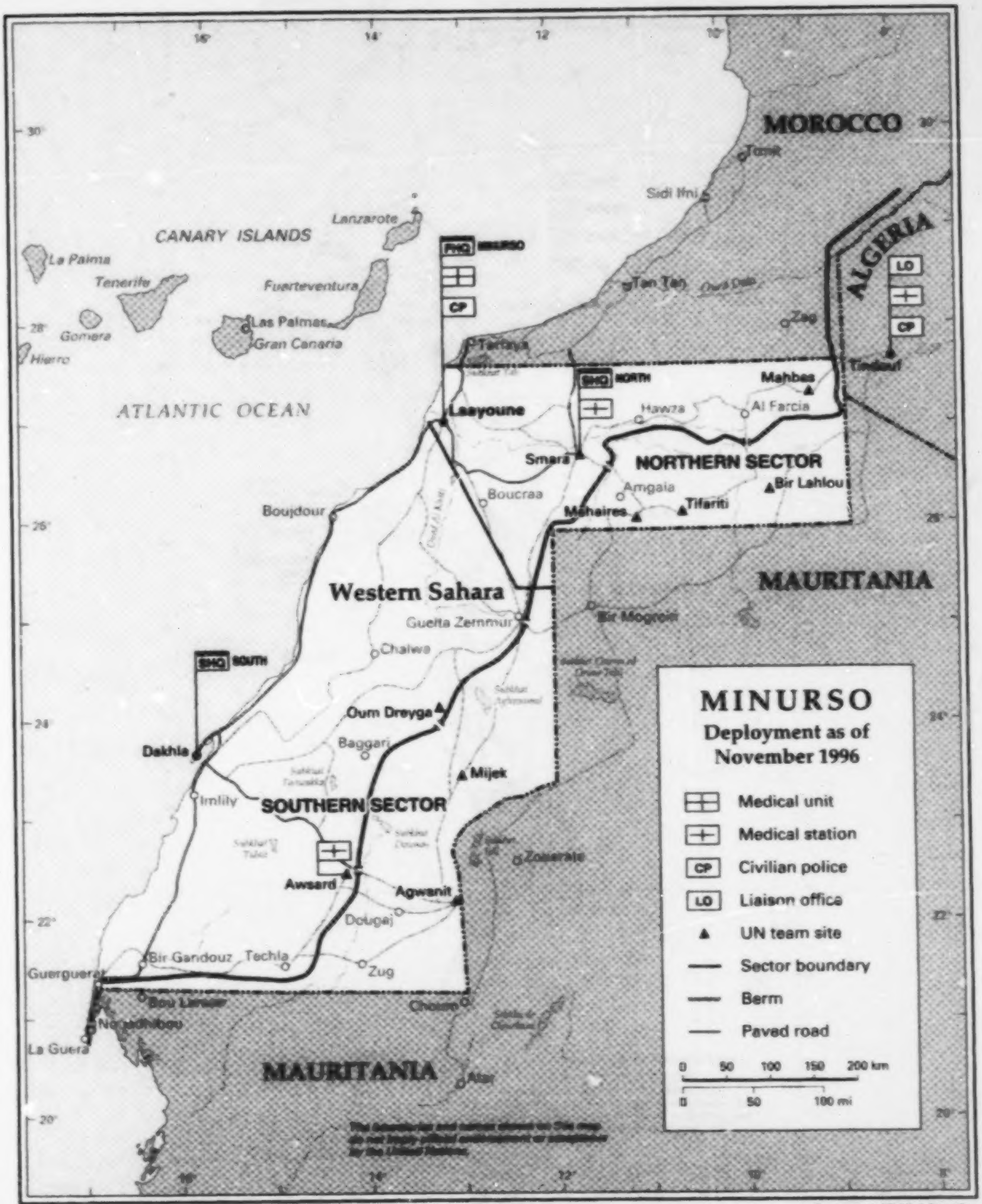
Map No. 3837 Rev. 10 UNITED NATIONS
October 1996

Department of Public Information
Cartographic Section


UNOMIL
Deployment as of
11 October 1996
International boundary
County boundary
Regional boundary
UNOMIL team site
Mission Headquarters
National capital
Airport
0 20 40 60 80 km
0 10 20 30 40 50 mi
The boundaries and names shown on this map do not imply
official endorsement or acceptance by the United Nations.
SIERRA LEONE
GUINEA
CÔTE D' IVOIRE
Atlantic Ocean
Western Region
Northern Region
Eastern Region
GRAND CAPE MOUNT
BOMI
LOFA
BONG
NIMBA
MARGIBI
GRAND BASSA
MONTSERRADO
RIVER CESS
GRAND GEDEH
SINOE
GRAND KRU
MARYLAND
Monrovia
Voinjama
Vahun
Gelahun
Kolahun
Zigida
Yella
Zorzor
Belle Yella
Wiesua
Gbange
Kongo
Bendaja
Bo
Robertsport
Bopolu
Tubmanburg
Klay
Suehn
Brewerville
Riverview
Careysburg
Kakata
Harbel
Marshall
Hartford
Edina
Buchanan
Trade Town
Gbarnga
Palala
Suakoko
Zienzu
Belefuanai
Yela
Gahnpa
Kpein
Saglepie
Saniquellie
Kahnple
Butlo
Zekepa
Kpeaple
Tapeta
Gboyi
Guata
Ghapo
Gonglee
Timbo
River Cess
Bokoa
Tobli
Poabli
Towabli (Towai Town)
Tchien (Zwedru)
Debli
Babu
Drubo (Dubwe)
Gallo
Duabo
Pelokehn
Shabli
Yakakahn
Yibuke (Kanbli)
Juazohn
Tiehnpo
Kopo
Sehnkwehn
Greenville
Sinoe Bay
Tatuke
Tawake
Kodeke
Nana Kru
Barclayville
Sasstown
Grand Cess
Pibo
C. Palmas
Harper
Tabou
12°
11°
10°
9°
8°
7°
6°
5°

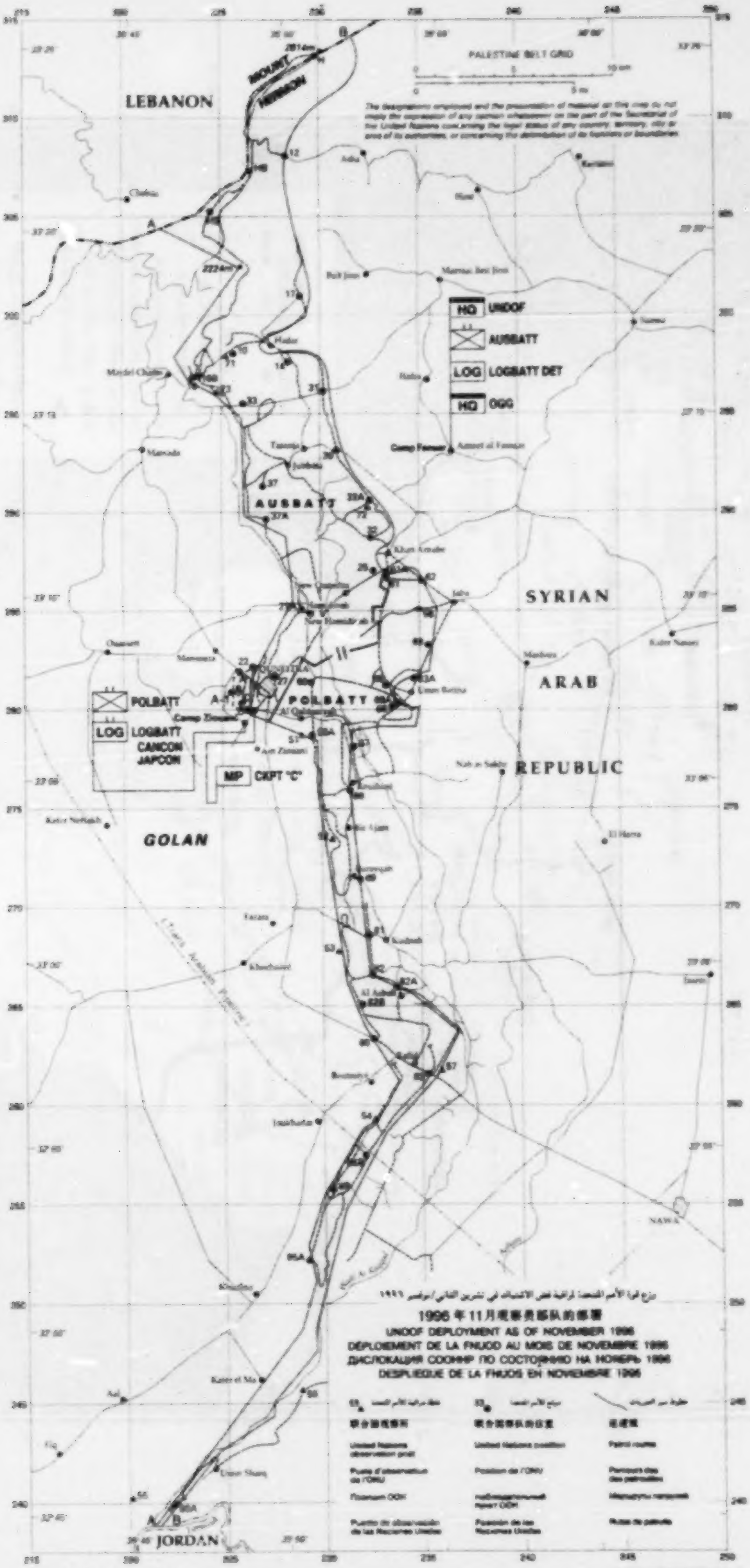
Map No. 3002 Rev. 19 UNITED NATIONS
October 1996

Department of Public Information
Cartographic Section


MINURSO
Deployment as of
November 1996
Medical unit
Medical station
CP Civilian police
LO Liaison office
UN team site
Sector boundary
Berm
Paved road
0 50 100 150 200 km
0 50 100 mi
MOROCCO
ALGERIA
MAURITANIA
Western Sahara
NORTHERN SECTOR
SOUTHERN SECTOR
CANARY ISLANDS
ATLANTIC OCEAN
La Palma
Tenerife
Gomera
Hierro
Lanzarote
Fuerteventura
Las Palmas
Gran Canaria
FHQ MINURSO
SHQ NORTH
SHQ SOUTH
Tiznit
Sidi Ifni
Tan Tan
Zag
Tindouf
Tarfaya
Laayoune
Mahbes
Hawza
Al Farcia
Smara
Amgala
Tifariti
Bir Lahlou
Mehaires
Boucraa
Boujdour
Guelta Zemmur
Bir Mogrein
Chalwa
Oum Dreyga
Baggari
Mijek
Dakhla
Imlily
Awsard
Agwenit
Zouerate
Dougaj
Bir Gandouz
Techla
Zug
Guerguerat
Bou Lanouar
Nouadhibou
La Guera
Choum
Atar
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
30°
28°
26°
24°
22°
20°
16°
14°
12°
10°
8°

Map No. 3691 Rev. 10 UNITED NATIONS
November 1996

Department of Public Information
Cartographic Section


MOUNT HERMON
2814m
PALESTINE BELT GRID
LEBANON
2224m
HQ UNDOF
AUSBATT
LOG LOGBATT DET
HQ OGG
Camp Faouar
AUSBATT
SYRIAN
ARAB
REPUBLIC
QUNEITRA
POLBATT
POLBATT
LOG LOGBATT
CANCON
JAPCON
Camp Ziouani
MP CKPT "C"
GOLAN
NAWA
JORDAN
United Nations observation post
United Nations position
Patrol routes

توزع قوة الأمم المتحدة لمراقبة فض الاشتباك في تشرين الثاني/نوفمبر ١٩٩٦

1996年11月观察员部队的部署

UNDOF DEPLOYMENT AS OF NOVEMBER 1996

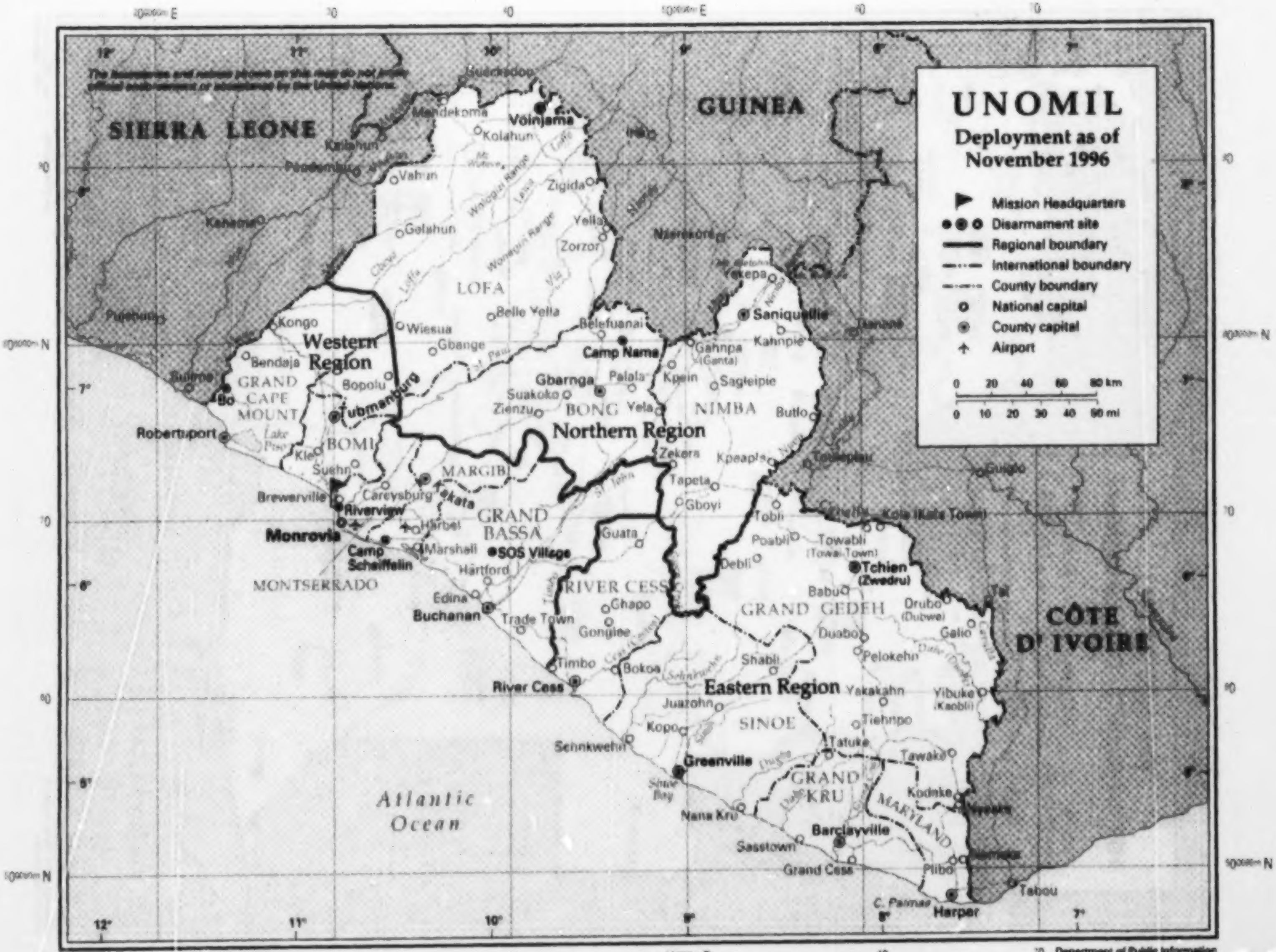
DÉPLOIEMENT DE LA FNUOD AU MOIS DE NOVEMBRE 1996

ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА НОЯБРЬ 1996

DESPLIEGUE DE LA FNUOS EN NOVIEMBRE 1996

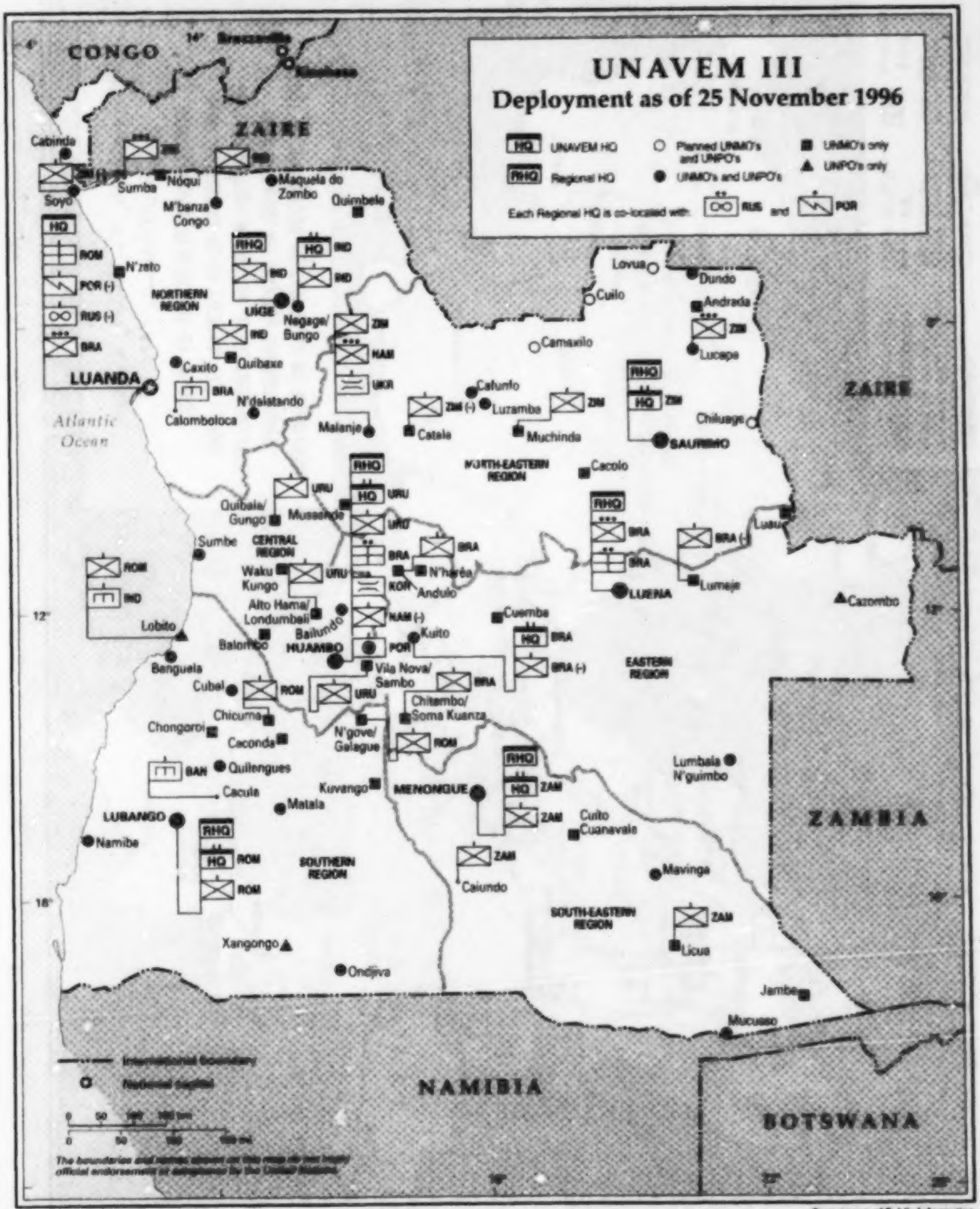
Map No. 3016 Rev. 40 UNITED NATIONS
November 1996

Department of Public Information
Cartographic Section


UNOMIL
Deployment as of November 1996
Mission Headquarters
Disarmament site
Regional boundary
International boundary
County boundary
National capital
County capital
Airport
0 20 40 60 80 km
0 10 20 30 40 50 mi
SIERRA LEONE
GUINEA
CÔTE D' IVOIRE
Atlantic Ocean
Western Region
Northern Region
Eastern Region
LOFA
GRAND CAPE MOUNT
BOMI
MONTSERRADO
MARGIBI
GRAND BASSA
BONG
NIMBA
RIVER CESS
GRAND GEDEH
SINOE
GRAND KRU
MARYLAND
Voinjama
Kolahun
Mendekoma
Vahun
Gelahun
Zigida
Yella
Zorzor
Belle Yella
Wiesua
Gbange
Kongo
Bendaja
Bo
Robertsport
Bopolu
Tubmanburg
Klay
Suehn
Brewerville
Riverview
Monrovia
Camp Schieffelin
Careysburg
Kakata
Harbel
Marshall
SOS Village
Hartford
Edina
Buchanan
Trade Town
Belefuanai
Camp Nama
Gbarnga
Palala
Suakoko
Zienzu
Yela
Saniquellie
Yekepa
Gahnpa (Ganta)
Kahnple
Kpein
Sagleipie
Butlo
Zekera
Kpeapla
Tapeta
Gboyi
Tobli
Poabli
Towabli (Towai Town)
Debli
Tchien (Zwedru)
Babu
Drubo (Dubwe)
Gaio
Duabo
Pelokehn
Guata
Chapo
Gonglee
Timbo
River Cess
Bokoa
Shabli
Juazohn
Kopo
Yakakahn
Yibuke (Kaobli)
Tiehnpo
Tatuke
Tawake
Sehnkwehn
Greenville
Sinoe Bay
Nana Kru
Kodeke
Barclayville
Sasstown
Grand Cess
Pilibo
C. Palmas
Harper
Tabou
Kailahun
Pendembu
Kenema
Pujehun
Sulima
Guéckédou
Nzérékoré
Danané
Toulépleu
Guiglo
Kola (Kola Town)
Taï
12°
11°
10°
9°
8°
7°
6°
5°

Map No. 3802 Rev. 20 UNITED NATIONS
November 1996

Department of Public Information
Cartographic Section



UNAVEM III
Deployment as of 25 November 1996

HQ UNAVEM HQ
RHQ Regional HQ
○ Planned UNMO's and UNPO's
● UNMO's and UNPO's
■ UNMO's only
▲ UNPO's only
Each Regional HQ is co-located with: RUS and POR
CONGO
ZAIRE
ZAMBIA
NAMIBIA
BOTSWANA
Atlantic Ocean
Brazzaville
Kinshasa
Cabinda
Soyo
Sumba
Nóqui
Maquela do Zombo
M'banza Congo
Quimbele
N'zeto
NORTHERN REGION
UIGE
Negage/Bungo
LUANDA
Caxito
Quibaxe
N'dalatando
Calomboloca
Malanje
Lovua
Dundo
Cuilo
Andrada
Lucapa
Camaxilo
Cafunfo
Luzamba
Catala
Muchinda
Chiluage
SAURIMO
NORTH-EASTERN REGION
Cacolo
Quibala/Gungo
Mussende
Sumbe
CENTRAL REGION
Waku Kungo
Alto Hama/Londumbali
Bailundo
N'harêa
Andulo
Cuemba
Kuito
HUAMBO
Balombo
Lobito
Benguela
Vila Nova/Sambo
Cubal
Chicuma
Chongoroi
Caconda
Chitembo/Soma Kuanza
N'gove/Galague
Quilengues
Cacula
Kuvango
Matala
MENONGUE
LUBANGO
Namibe
SOUTHERN REGION
Cuito Cuanavale
Caiundo
Mavinga
SOUTH-EASTERN REGION
Licua
Xangongo
Ondjiva
Jamba
Mucusso
Luau
LUENA
Lumeje
Cazombo
EASTERN REGION
Lumbala N'guimbo
HQ ROM POR (-) RUS (-) BRA
ZIM NAM UKR URU IND ROM BRA KOR NAM (-) POR ZAM BAN
International boundary
National capital
0 50 100 150 km
0 50 100 150 mi
4° 14° 8° 12° 16° 18° 22° 26°
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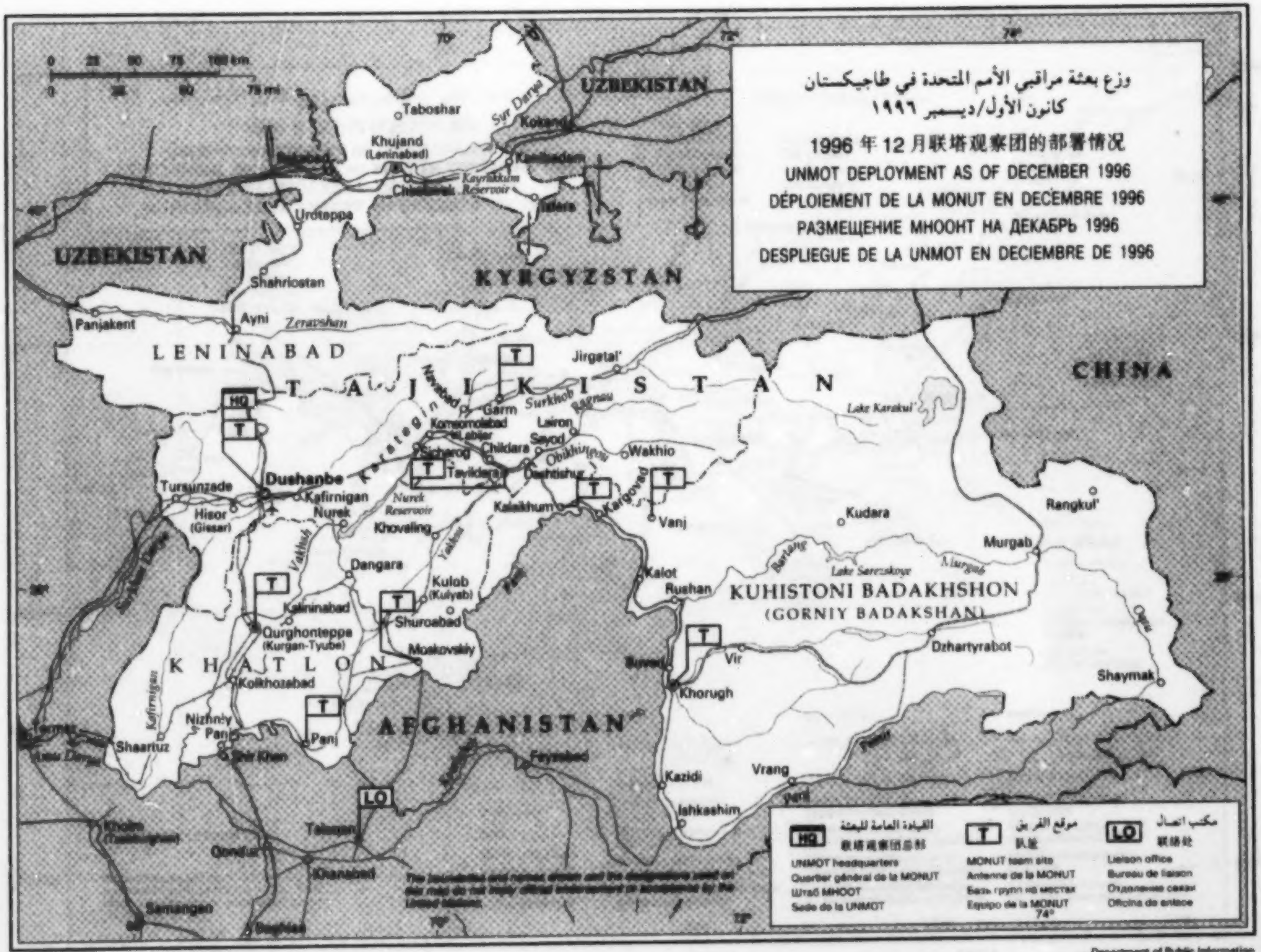
Map No. 3881 Rev. 14 UNITED NATIONS
November 1996

Department of Public Information
Cartographic Section



وزع بعثة مراقبي الأمم المتحدة في طاجيكستان
كانون الأول/ديسمبر ١٩٩٦

1996 年 12 月联塔观察团的部署情况

UNMOT DEPLOYMENT AS OF DECEMBER 1996

DÉPLOIEMENT DE LA MONUT EN DECEMBRE 1996

РАЗМЕЩЕНИЕ МНООНТ НА ДЕКАБРЬ 1996

DESPLIEGUE DE LA UNMOT EN DECIEMBRE DE 1996

HQ القيادة العامة للبعثة 联塔观察团总部
UNMOT headquarters
Quartier général de la MONUT
Штаб МНООТ
Sede de la UNMOT
T موقع الفريق 队址
MONUT team site
Antenne de la MONUT
Базы групп на местах
Equipo de la MONUT
LO مكتب اتصال 联络处
Liaison office
Bureau de liaison
Отделение связи
Oficina de enlace
0 25 50 75 100 km
0 25 50 75 mi
70°
72°
74°
40°
38°
UZBEKISTAN
KYRGYZSTAN
CHINA
AFGHANISTAN
T A J I K I S T A N
LENINABAD
KHATLON
KUHISTONI BADAKHSHON
(GORNIY BADAKSHAN)
Taboshar
Khujand
(Leninabad)
Kokand
Kanibadam
Chkalovsk
Kayrakkum Reservoir
Isfara
Syr Darya
Urdteppa
Shahriostan
Panjakent
Ayni
Zeravshan
Jirgatal'
Navabad
Garm
Surkhob
Komsomolabad
Lairon
Sayod
Childara
Sicharog
Tavildara
Obikhingou
Dashtishur
Kalaikhum
Kargovad
Vanj
Wakhio
Karategin
Dushanbe
Kafirnigan
Nurek
Nurek Reservoir
Tursunzade
Hisor
(Gissar)
Khovaling
Dangara
Kulob
(Kulyab)
Shuroabad
Moskovskiy
Kalininabad
Qurghonteppa
(Kurgan-Tyube)
Kolkhozabad
Vakhsh
Kafirnigan
Nizhniy Panj
Shaartuz
Panj
Termez
Amu Darya
Shir Khan
Lake Karakul'
Kudara
Rangkul'
Murgab
Bartang
Lake Sarezskoye
Kalot
Rushan
Vir
Buved
Khorugh
Dzhartyrabot
Shaymak
Kazidi
Vrang
Ishkashim
Feyzabad
Taloqan
Qonduz
Khanabad
Kholm
(Tashkurgan)
Samangan
Baghlan
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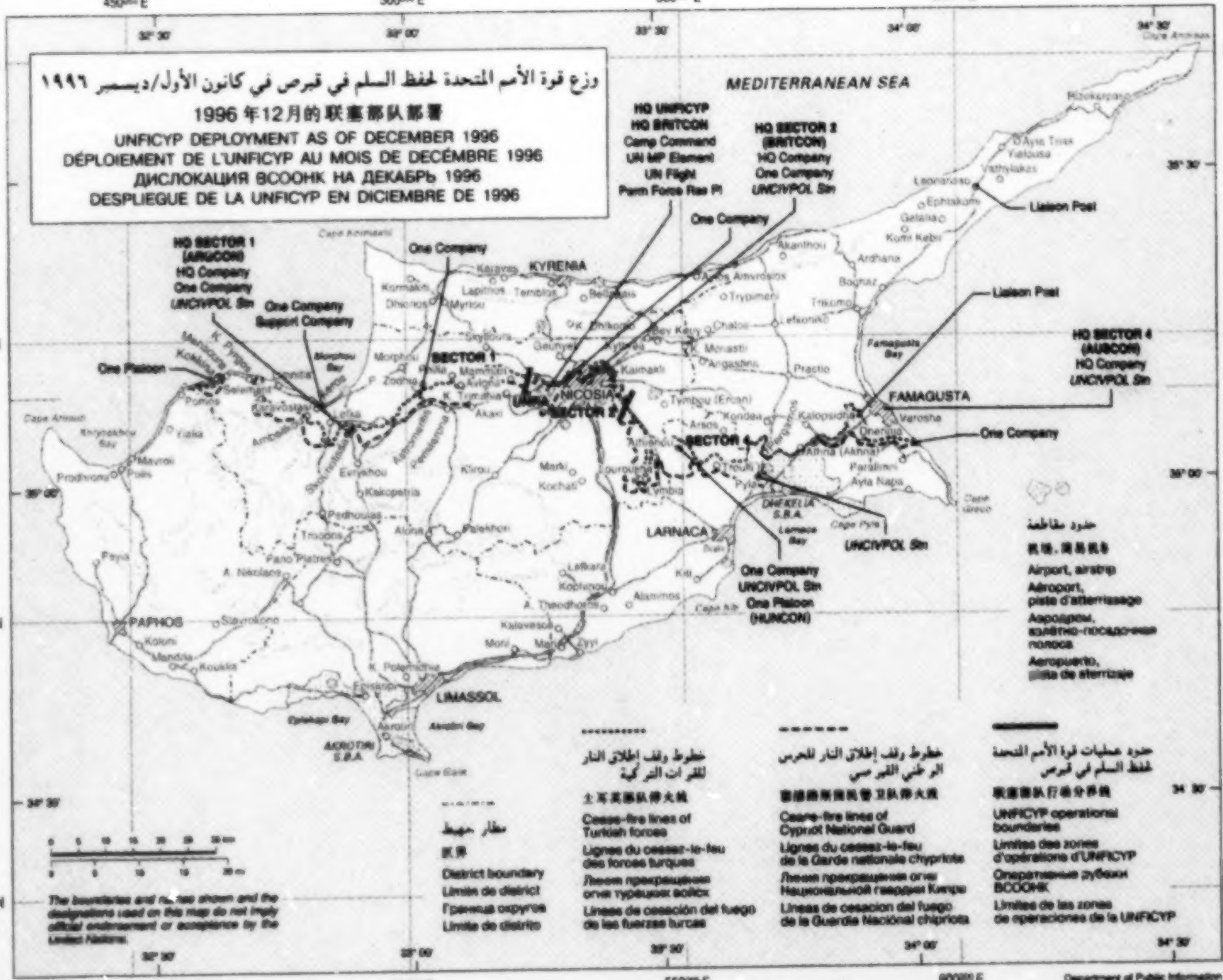
Map No. 3887 Rev. 8-bis UNITED NATIONS
December 1996

Department of Public Information
Cartographic Section



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